



PLANNING COMMISSION/BOARD OF ADJUSTMENT

Tuesday, September 16, 2025 at 6:30 PM

Public Safety Building 8361 Co. Rd. 11 Breezy Point, MN 56472

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

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. OPEN FORUM

5. APPROVAL OF MINUTES

[A.](#) August 12, 2025 Minutes

6. PUBLIC HEARING - VARIANCE APPLICATION V-25-002 Jeff & Shivaun Kuffel 10672 Hilltop Drive. Lot 18 Valley of Contentment. Dwelling Closer than 75 feet from OHW, (59.2) & 13.2 feet from side yard.

1- Open Public Hearing

2- Applicant Presentation

3- Staff Review

4- Public Input

5- Close Public Hearing

OFFICIAL ACTION VARIANCE V-25-002

[A.](#) Variance Application V-25-002

7. PUBLIC HEARING - REZONING REQUEST Whitebirch Inc. Request to Rezone one portion of Out Lot A. Whitebirch 7th Addition. R-4 to RC Resort Commercial and Rezone portion of Out Lot B Whitebirch 7th Addition RC to R-4.

1- Open Public Hearing

2- Applicant Presentation

3- Staff Review

4- Public Input

5- Close Public Hearing

OFFICIAL ACTION REZONING REQUEST (Recommendation to City Council)

[A.](#) Rezone Request Whitebirch Inc.

- 8. PUBLIC HEARING - VACATE UTILITY & DRAINAGE EASEMENTS within Out Lot C Whitebirch 7th and Utility Drainage Easement across Out Lot D Whitebirch 7th Addition between Osceola Circle & Out Lot C Whitebirch 7th Addition.**

1- Open Public Hearing

2- Applicant Presentation

3- Staff Review

4- Public Input

5- Close Public Hearing

OFFICIAL ACTION VACATION REQUEST (Recommendation to City Council)

[A.](#) Petition to Vacate Utility & Drainage Easements Whitebirch Inc.

- 9. PUBLIC HEARING - SUBDIVISION APPLICATION Whitebirch Inc. Preliminary Plat. Final Plat of Whitebirch Fairway Addition.**

1- Open Public Hearing

2- Applicant Presentation

3- Staff Review

4- Public Input

5- Close Public Hearing

OFFICIAL ACTION SUBDIVISION APPLICATION (Recommendation to City Council)

[A.](#) Subdivision Application Whitebirch Inc.

10. OTHER

11. STAFF REPORTS

12. MAYOR AND CITY COUNCIL REPORTS

13. ADJOURN

**Breezy Point Planning Commission/
Board of Adjustment
August 12, 2025
Regular Meeting Minutes**

Call to Order

The Planning Commission Board of Adjustment meeting was called to order on Tuesday, August 12, 2025, at 6:30 PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

City Planner Jerry Bohnsack conducted the roll call. Joe Ayers, Lee Brisbin, Marcy Weaver, and Teddy Zierden were present. Roger Theis was absent. Staff present included Administrator Allie Polsfuss, Planner Jerry Bohnsack, and Deputy Clerk Deb Runksmeier.

The Chair Weaver welcomed the new city administrator Allie Polsfuss to her first planning and zoning meeting. It was also noted that Jerry Bohnsack had officially agreed to stay on with planning and zoning.

Open Forum

No one from the public spoke.

Approval of Minutes June 10, 2025 Minutes

The minutes from the June 10, 2025 meeting were presented for approval.

A motion was made by Joe Ayers to approve the June 10, 2025 minutes. The motion was seconded by Lee Brisbin. The motion was approved unanimously.

Public Hearing - Conditional Use Application C-25-002 Whitebirch, Inc. to Construct Social Club and Golf Cart Storage structures. Location existing Traditional Golf Course.

Open Public Hearing at 7:00 pm

The Chair opened the public hearing for the conditional use application C-25-002.

David Landecker, representing Whitebirch Inc., presented the Conditional Use permit application. He outlined the main components of the project:

- A 6,600 square foot building with 3 levels, including both indoor and outdoor seating for about 216 individuals.
- The facility will include a bar and restaurant, serving two golf courses.
- A putting course and pickleball courts are planned for the south end of the parking area.
- Two golf cart barns will be constructed to house golf carts for different uses.
- Landscaping will include berms and screening around the parking area to minimize light disturbance.
- A shared cart path will be available for both the project and public use.
- A lighting plan for the short course north of the clubhouse.
- A right turn lane will be constructed at the entrance from County Road 4.

Landecker emphasized that the project aims to accommodate various needs, including social events, golf course service, and parking requirements.

Staff Review

Bohnsack presented the findings required for the conditional use application. He outlined the following points:

- The property is zoned resort commercial, and the request is appropriate under section 153.039.
- The use conforms to the comprehensive land use plan.
- The use is compatible with the existing neighborhood.
- The use would not be injurious to public health, safety, welfare, and other factors.

Bohnsack also suggested potential conditions for approval, including obtaining necessary permits, complying with zoning requirements, and addressing lighting and water management issues.

Public Input was opened by Chair Weaver at 7:00 pm

Casey McChesney, property owner at 8729 Bluebird Lane, expressed concerns about the project:

- The size and nature of the "social club," which he viewed as potentially being the largest bar in the area.
- The impact of lighting on surrounding properties.
- Noise concerns from potential live music and events.
- The hours of operation for the golf course lighting.

He suggested additional conditions, including specific hours of operation, a detailed lighting plan, restrictions on concerts, and annual reviews of the conditional use permit.

Paul Gerdes, president of the board chair for the Waldenheim Condo Association at 8890 Breezy Point Drive, requested more details about landscaping between the parking lot and adjacent properties.

Richard Burbach, property owner at 29582 Poplar Drive near the seventeenth fairway, inquired about the future look of the golf course and the status of the pickleball courts.

Closed Public Hearing at 7:36 pm

Eric Hart, the general manager of Breezy Point Resort, addressed some of the concerns raised:

- Clarified that the clubhouse would be smaller than other resort buildings due to one story being underground.
- Explained that the resort operates under a noise ordinance of 10:30 PM.
- Detailed the lighting plan and operation hours for the golf course.
- Described winter uses for the facility, including potential sledding and skating areas.

The commission discussed the findings and conditions for the conditional use permit. They agreed to add conditions regarding the annual review of the permit starting in 2028 and specifying lighting operation hours.

Official Action CUP-25-002

Motion by Marcy Weaver to approve the conditional use permit with conditions 1 through 10 as presented, with the addition of specifying a start time of 9 PM for lighting with the last lights going out at 11:30 PM, and adding condition 11 that the conditional use permit be reviewed annually starting in 2028 prior to the start of the season. The motion was seconded by Teddy Zierden. The motion passed 4-0

Whitebirch Inc - Presentation Introduction of Planned Improvement to Breezy Point Marina Area.

David Landecker presented plans for improvements to the Breezy Point Marina area. Key points included:

- Upgrading the boat ramp to a proper two-lane launch.
- Implementing a stormwater management plan to protect the shoreline.
- Renovating the existing boathouse and dock system.
- Creating a green space with pollinator-friendly plants.
- Reducing impervious coverage slightly.

The total project cost was estimated at nearly half a million dollars. David sought guidance on the permitting process, given that they already had DNR approval for various aspects of the project.

Jerry viewed the project as a rehabilitation of an existing area and suggested it could likely be handled with an over-the-counter permit, given that impervious coverage was being reduced.

The commission expressed support for the project, particularly its environmental considerations.

Scott Vee Request to Un-Consolidate Lots 17 & 18 Block 2 Breezy Point Estates. SW Intersection of North Drive and N Lakeview Drive Request to Separate Lot Consolidation

Scott Vee presented his request to un-consolidate lots 17 and 18 in Block 2 of Breezy Point Estates. He explained:

- The lots were combined 30 years ago by a previous owner.
- He intends to sell lot 17 and retain lot 18.
- There is a non-conforming garage on lot 17 that would need to be removed.
- The garage on lot 18 has a 22-foot driveway from the street, which would require an after-the-fact variance.

The commission discussed the potential issues, including:

- The need for a survey to confirm setbacks and property lines.
- The importance of removing the non-conforming garage on lot 17 prior to sale.
- The existing garage on lot 18 being too close to the street, but potentially eligible for a variance due to existing conditions.

The commission advised Mr. Vee to proceed with getting a survey if he felt confident about the setbacks, and to ensure the removal of the non-conforming garage on lot 17 prior to any sale.

Variance Information

Bohnsack provided reading material on variance considerations for the commission. He emphasized the importance of having concrete reasons for granting variances beyond simply wanting something. The commission discussed the challenges of dealing with variances, particularly for properties developed in earlier decades.

Adjourn

The meeting was adjourned at 8:00 PM.

City of Breezy Point
Notice of Public Hearing
Tuesday September 16, 2025, 6:30 p.m.
Breezy Point Public Safety Building

Section 6, Item A.

To Whom It May Concern:

The Public Hearing originally scheduled for September 9 has been rescheduled to **September 16.**

Notice is hereby given the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on September 16, 2025 at 6:30 p.m. or shortly thereafter at Breezy Point Public Safety Building, 8361 County Road 11, to consider the following;

Variance Application V-25-002 Jeffrey and Shivaun Kuffel 10672 Hilltop Drive. Lot 18 Valley of Contentment. Parcel 10020643. Zone R-2 Medium Residential. Requesting a Variance from Section 153.032 and 153.045 of the Breezy Point City Code Dwelling Closer than 75 feet from Ordinary High Water Mark (OHW) Lake Ossawinnamakee. (59.2 feet proposed) and 13.2 feet from side yard property line.

Rezoning Application Whitebirch, Inc. (7891 County Road 11) Portion of Outlot D, and Outlot C, Whitebirch 7. Parcels 10170500, 10170778 (holes 7-8-9 Whitebirch Golf Course) Request rezoning R-4 Multi-Family Residential to RC Resort Commercial and RC Resort Commercial to R-4 Multifamily Residential.

Petition to Vacate utility and drainage easements within Outlot C Whitebirch 7TH Addition and Utility and Drainage Easement across Outlot D Whitebirch 7TH Addition between Osceola Circle and Outlot C Whitebirch 7TH Addition.

Subdivision Application Whitebirch Inc 7891 County Road 11. Preliminary and Final Plat of Whitebirch Fairway Addition R-4 and RC Zoning.

A notice relative to above listed requests 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 any property owner has been missed, or our records are not correct.

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

Jerry Bohnsack
Planning & Zoning
City of Breezy Point
218-569-1003
jbohnsack@cityofbreezypointmn.us



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

Received by City: 08/01/2025
Application Number: V-25-002
Non-refundable Fee Paid: 250.00
Receipt #: 24937

Variance Application

Name of Applicant Jeff and Shivaun Kuffel
Address 10672 Hilltop Drive Email: jeffkuffel56@gmail.com
City, State, Zip Breezy Point, MN, 56472
Phone 763-668-4895 Alternate Phone 763-442-3299
763 688-4815

Physical Address / Location of Property 10672 Hilltop Drive, Breezy Point, MN 56472

Legal Description of Property Lot 18, Valley of Contentment

Parcel ID Number 10020643 Section 2, Township 136, Range 28, Zoning District Crow Wing Cty, MN

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?
Removing a manufactured home to build a custom home.

Signature of Owner, authorizing application Jeffrey L. Kuffel Shivaun Kuffel
(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: Removing manufactured home and replace with a custom built home
Landscaping: Remove wooden board walk and deck, replace with pavers, gravel to be seeded
Parking/Signs: Small parking area behind home, security signs

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?

a) 50 foot narrow lot, 20 foot easement road which is approximately 100 feet from shoreline

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

a) Strict interpretation of the ordinance would cause undue hardship
b) Impractical secondary to characteristics not created by the landowner
c) Deviation from ordinance will still be within the spirit and intent of the ordinance

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

a) There is no room between the shore and easement road to comply with the 75 foot setback
b) If adhering to setback – the proposed house would end up in the road

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

a) There are no other options

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

a) There is no impact because we are still building a home with a width of 26 feet

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?

a) All of the homes within the Valley of Contentment are positioned between the shoreline and the north edge of the 20-foot easement, and adjusting to the terrain

8. Discuss any environmental limitations of the site or the area that limit building in other areas.
a) The platted lot is uniquely shaped which interferes with normal setback requirements

9. Please include any other comments pertinent to this request.
a) We want to improve our full time home residence

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.
a) Because of topography, dimensions of the lot, and access road.

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.

Attachment to page 3

INSTRUCTIONS TO THE APPLICANT

4. Color scheme for all existing and proposed structures:

All structures will remain neutral in color.

5. Outside storage proposal:

None around house.

6. Elevation plans for all existing and proposed structures:

Current house structure

26 feet x 48 feet, 13 feet high

Shed

10 feet x 12 feet, 12 feet high

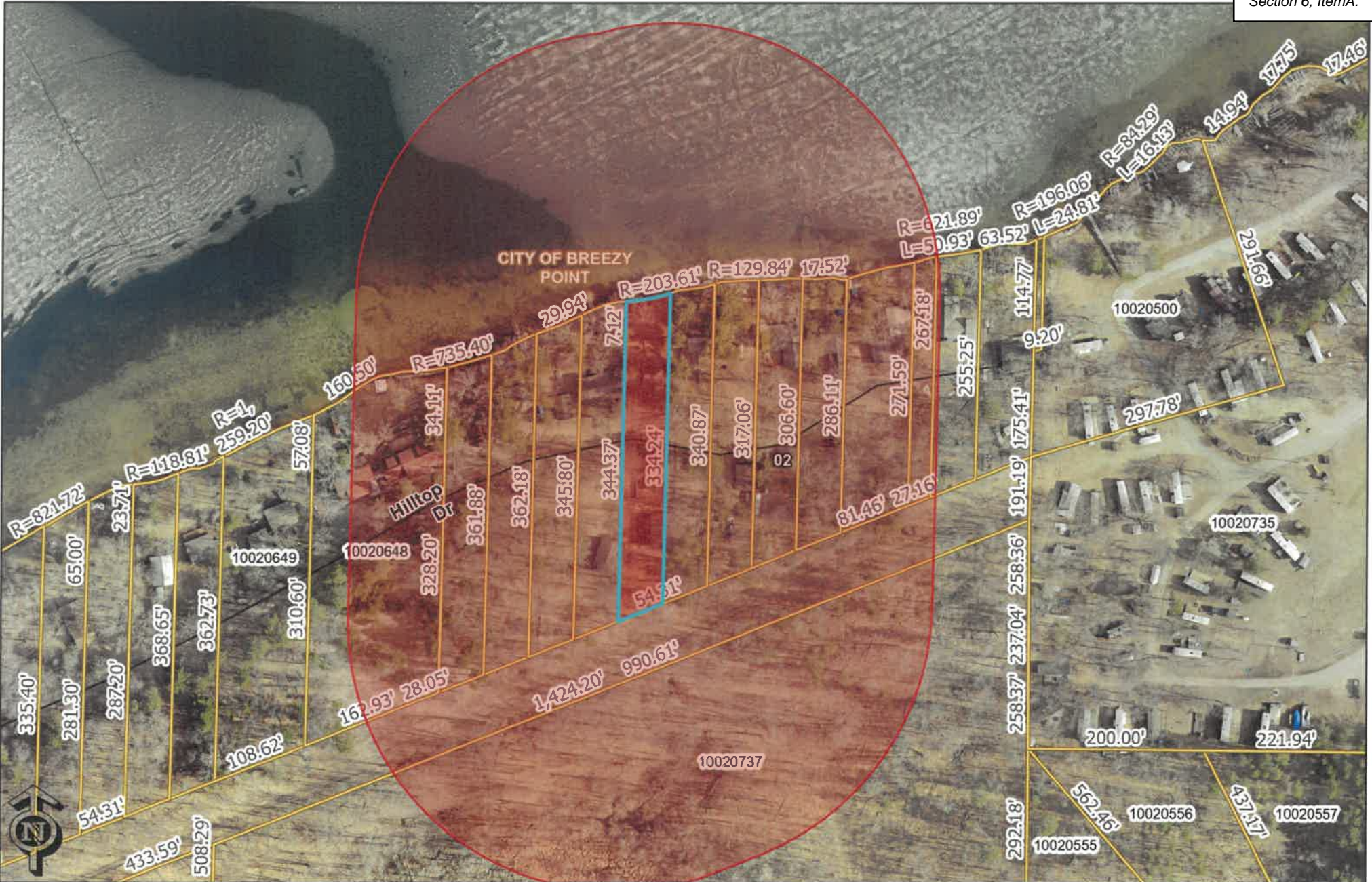
Garage

24 feet x 32 feet, 14 feet high

Proposed House

26 feet x 58 feet, 20 feet high

*All outside lighting to be hooded and shielded. No landscape lighting around house.



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.



TO: Planning Commission
FROM: Jerry Bohnsack
RE: Staff Report for V-25-002 KUFFEL
DATE: September 16, 2025 Regular Meeting

Variance Request V-25-001

Applicant: Jeffery & Shivaun Kuffel
Legal Description: Lots 18 Valley of Contentment
Address: 10672 Hilltop Drive, Breezy Point MN 56472
Property Identification Number (PIN): 10020643
Zoning: Residential Medium Density R-2 Unsewered
Applicable Code: 153.032, 153.044, 153.045, 153.120

Request:
Remove existing structure (26.7 ft. x 48 ft)
Construct Dwelling 26' x 58'
59.2 feet from OHW (75' required)
13.2 feet from W Sideyard (15' required)

Property:
The property is located at 10672 Hilltop Drive. Lakeshore property on south shore Lake Ossawinnamakee. Access to this and adjacent properties via private easement that bisects Valley of Contentment Subdivision.

Variance for existing dwelling (OHW) Sideyard 13.4' was granted in 2005.

Mr. Kuffel is proposing to construct New Dwelling at the pre-existing OHW setback 59.2' and 13.7' from W sideyard and 10' from E sideyard and approximately 23' from edge of easement. Mr. Kuffel is also proposing a dwelling that is 58 feet long (48' existing dwelling). The existing impervious coverage 43.64%. Mr. Kuffel is proposing to reduce impervious coverage to 21.5%.

Zoning the property is currently Zoned Residential Medium Density (R-2 Unsewered)

Lot Size: 20,000 sq. ft.
OHW: 75 feet
Side Setbacks: 10 feet and 15 feet
Impervious Coverage: 25%
Height: 35 feet

VARIANCE. A legally permitted deviation as provided in M.S. § 462.357, Subd 6 may be amended from time to time, from the provision of this chapter as deemed necessary by the Board of Adjustment when the strict interpretation of the ordinance would create practical difficulty and be impractical because of circumstances, relating to lot size, shape, topography or other characteristics of the property, and when the deviation from the ordinance with any attached conditions will still be in keeping with the spirit and intent of the ordinance. Variances cannot create a land use not permitted in a zone.

Variance Review:

- Variance Review §153.120 E 1-5

(E) Variances shall be decided within a reasonable time with considerations for the following:

- (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;
- (2) The deviation from the ordinance with any attached conditions will still be in keeping with the spirit and intent of the ordinance;
- (3) The land use created by the variance is permitted in the zoning district where the property is located;
- (4) The variance will not alter the essential character of the locality; and
- (5) The variance is not for economic reasons alone, but reasonable use of the property does not exist under the ordinance.

Findings:

- 1) The applicant contends that the practical difficulty is _____
- 2) Impervious Coverage is proposed to be 21.5%
- 3) The Use is consistent with the character of the surrounding Neighborhood.
- 4) _____

The following finding of fact may be used to support denial of the Variance request.

The Planning Commission / Board of Adjustment finds that no practical difficulty exists.

The following may be used to support Approval of the of the Variance request.

- 1) The property pre-exists subdivision and zoning regulations. (1941 subdivision)
- 2) Impervious Coverage does not exceed 25%.
- 3) The practical difficulty is _____.
- 4) If approved the following may be conditions of approval:
 - a) Minimum – 1st floor elevation 1209

- b) Elevation and building setbacks (OHW & Side) to be set and staked by a registered surveyor.
- c) Gutters to be installed on dwelling to contain, direct, treat surface water.
- d) Building permit to be obtained and conform to Minnesota State Building Code.
- e) Applicant to work with Crow Wing County Soil and Water to develop lake shore landscaping plan.
- f) Other.

Planning Commission/Board of Review Direction

The Board may by resolution choose to approve, deny, or modify the requested variance. The resolution should clearly state the practical difficulty and reasons for approval, denial, or modification of the variance.

CERTIFICATE OF SURVEY

LOT 18, THE VALLEY OF CONTENTMENT,
SECTION 2, TOWNSHIP 136, RANGE 28,
CROW WING COUNTY, MINNESOTA

Curtis.



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE DATABASE; NAD83

ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 NAVD 88

LEGEND

- DENOTES FOUND IRON MONUMENT
- ⊠ AC UNIT
- ⊙ WATER WELL
- ⊕ ELECTRIC POLE
- OHE — OVERHEAD ELECTRIC LINE
- LIQUID PROPANE (LP) TANK
- □ — FENCE - WOOD
- ⊙ CLEANOUT
- ⊙ MANHOLE
- ⊠ TELECOM PEDESTAL
- ⊕ GUY WIRE ANCHOR
- ▨ CONCRETE SURFACE
- ▨ PAVERS
- ▨ GRAVEL SURFACE
- ▨ LANDSCAPING
- ▨ GRAVEL SURFACE TO BE RESEDED

Existing Legal Description — According to Doc. No. 694413

Lot 18 Valley of Contentment

SURVEY NOTES

1. Benchmark: Top of well Elev= 1218.06 NAVD 88
2. The E911 address of the subject property is: 10672 Hilltop dr. Breezy Point.
3. Property Identification Number: 10020643
4. Total Acreage: 19,633± sq.ft.
5. Lake Ossawinnamakee is classified as a general development lake according to the Crow Wing County Protected Waters inventory list.
6. The property is zoned medium density residential (R-2) according to the City of Breezy Point zoning map.
7. The building setback lines are shown according to the City of Breezy Point Zoning Ordinance and also according to the City of Breezy Point Planning and Zoning Department Staff.
8. This survey was completed without the benefit of a title commitment or opinion. There may be easements or other limiting factors not shown on this survey which affect the subject property.
9. The utilities shown on this survey are according to observed evidence only. Width assumes no responsibility for the completeness and accuracy of these locations. Further locations and verifications are recommended before any construction or excavation.

IMPERVIOUS CALCULATIONS:

TOTAL AREA = 19,635± SQ.FT.

EXISTING CONDITIONS:

IMPERVIOUS COVERAGE = 8,568 SQ.FT.
BUILDINGS = 2,198 SQ. FT.
CONCRETE AND PAVERS = 698 SQ. FT.
GRAVEL = 5,066 SQ. FT.
RET. WALLS = 73 SQ.FT.
DECKS = 533 SQ.FT.

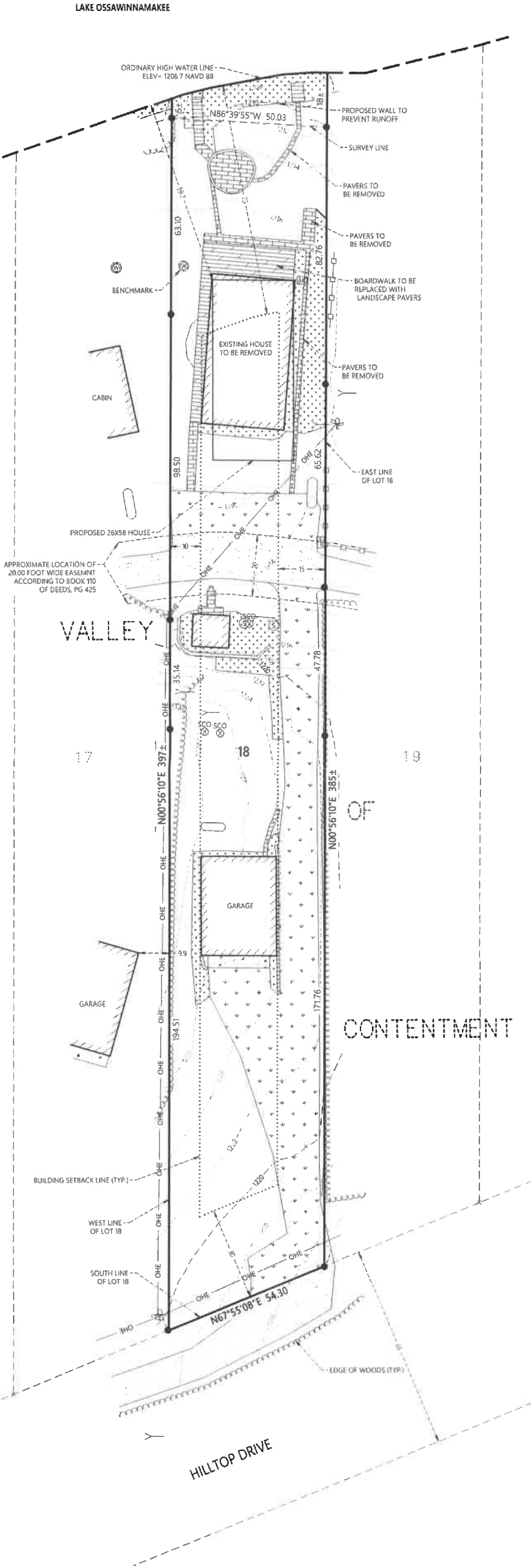
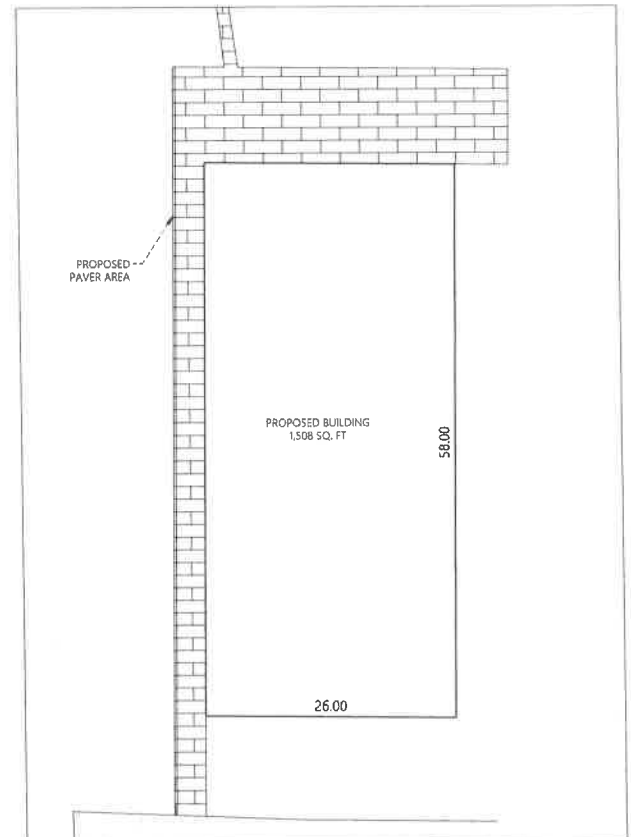
IMPERVIOUS PERCENTAGE = 43.6 %
(8,568 / 19,635 = 0.4364)

PROPOSED CONDITIONS:

IMPERVIOUS COVERAGE = 4,220 SQ.FT.
BUILDINGS = 2,417 SQ. FT.
CONCRETE AND PAVERS = 928 SQ. FT.
GRAVEL = 737 SQ. FT.
RET. WALLS = 73 SQ. FT.
DECKS = 65 SQ.FT.

IMPERVIOUS PERCENTAGE = 21.5 %
(4,220 / 19,635 = 0.2149)

PROPOSED BUILDING DETAIL (SCALE 1"=10')





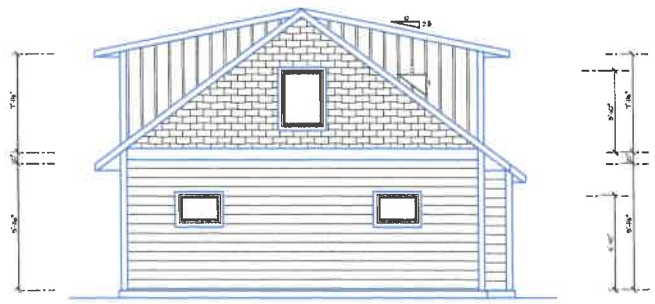
Sept 2005



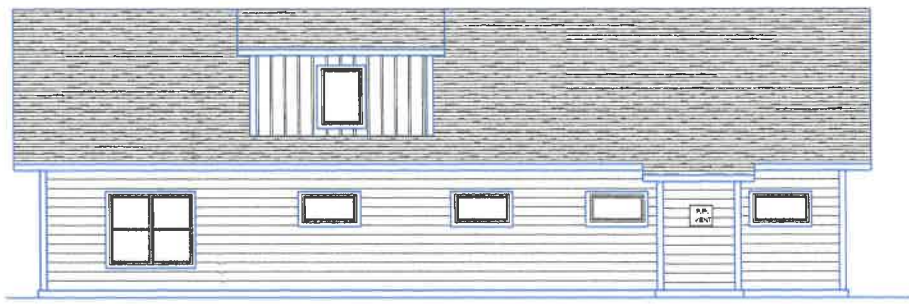
Sept 2025



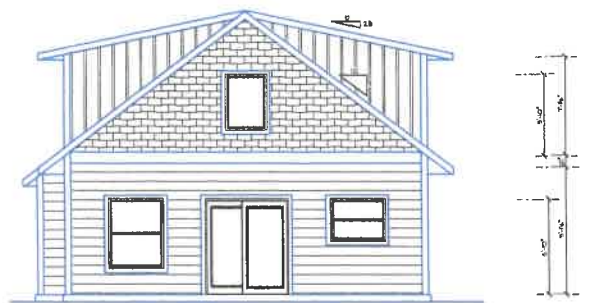




ROADSIDE ELEVATION
SCALE: 1/4"=1'-0"



RIGHTSIDE ELEVATION
SCALE: 1/4"=1'-0"



LAKESIDE ELEVATION
SCALE: 1/4"=1'-0"



LEFTSIDE ELEVATION
SCALE: 1/4"=1'-0"

P.F.S. DESIGN LLC	
218-821-0630	
PROJECT FOR: CROSSLAKE	PAGE NO.
BLDRS. - KUFFEL	1 of 3
DATE:	
JULY 28, 2025	

CERTIFICATE OF SURVEY

LOT 18, THE VALLEY OF CONTENTMENT,
SECTION 2, TOWNSHIP 136, RANGE 28,
CROW WING COUNTY, MINNESOTA



Section 6, Item A.

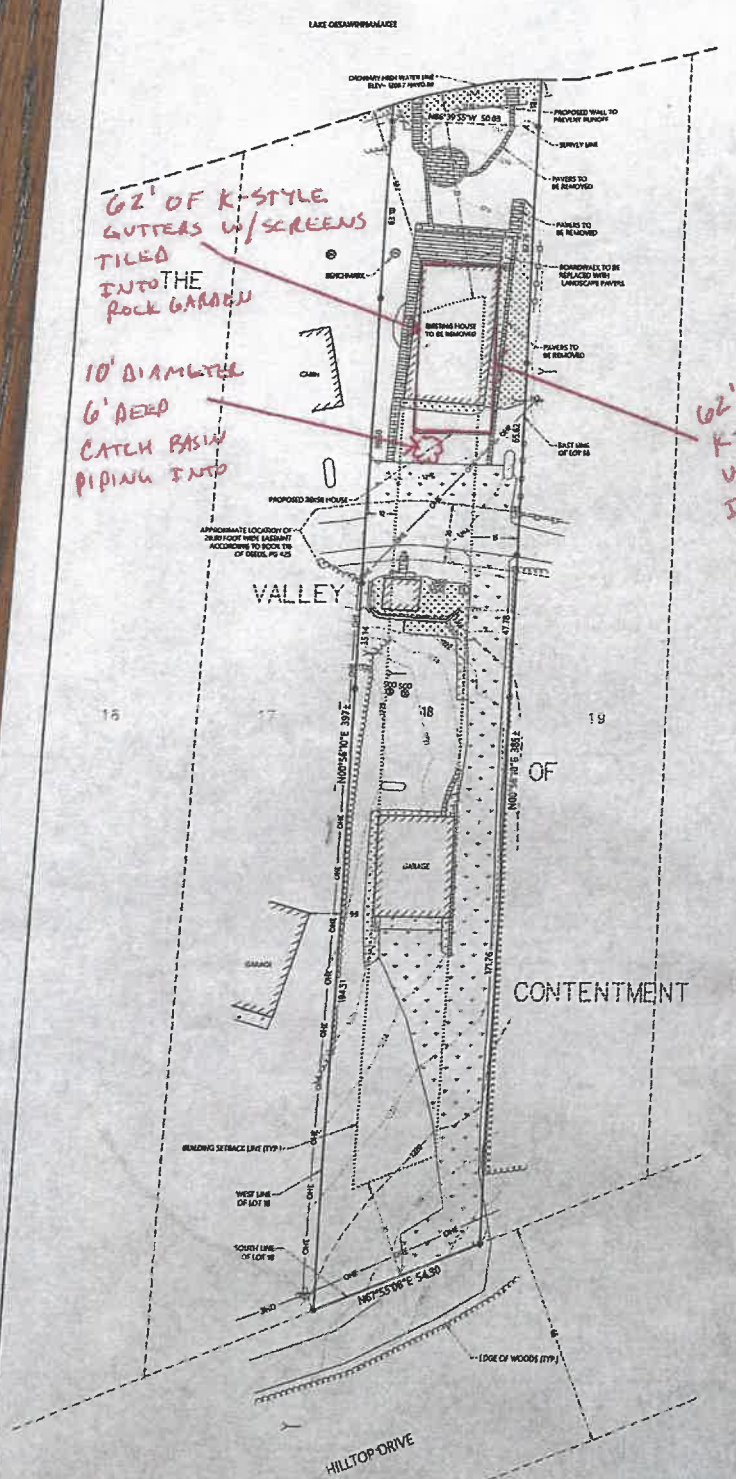
ORIENTATION OF THE BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE DATABASE, NAD83
ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 NAVD 88

- LEGEND:**
- DENOTES FOUND IRON MONUMENT
 - AC UNIT
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 - ⊙ CLEANOUT
 - ⊙ MANHOLE
 - ⊙ TELECOM PEDESTAL
 - GUY WIRE ANCHOR
 - ▨ CONCRETE SURFACE
 - ▨ PAVERS
 - ▨ GRAVEL SURFACE
 - ▨ LANDSCAPING
 - ▨ GRAVEL SURFACE TO BE RESEED

6" OF K-STYLE GUTTERS W/ SCREENS TILED INTO THE ROCK GARAGE

10' DIAMETER 6' DEEP CATCH BASIN PIPING INTO

6" OF 6" K-STYLE GUTTERS W/ SCREENS TILED INTO ROCK GARAGE



Existing Legal Description — According to Doc. No. 654473
Lot 18 Valley of Contentment

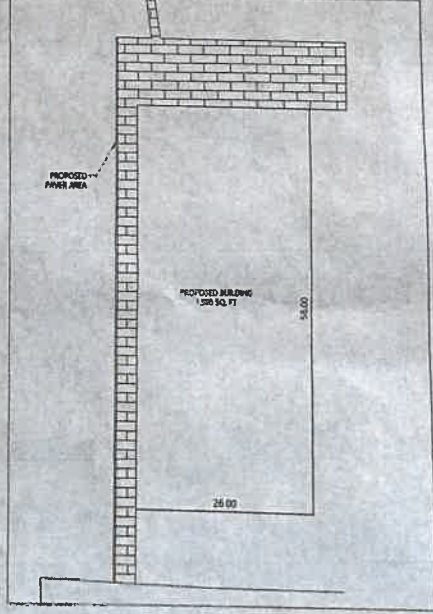
SURVEY NOTES

1. Benchmark: Top of well Elev= 1218.06 NAVD 88
2. The E911 address of the subject property is 10672 Hilltop dr, Brezzy Point.
3. Property Identification Number: 10020643
4. Total Acreage: 19,633 ± sq.ft.
5. Lake Osawinnamakee is classified as a general development lake according to the Crow Wing County Protected Waters Inventory list.
6. The property is zoned medium density residential (R-2) according to the City of Brezzy Point zoning map.
7. The building setback lines are shown according to the City of Brezzy Point Zoning Ordinance and also according to the City of Brezzy Point Planning and Zoning Department Staff.
8. This survey was completed without the benefit of a title commitment or opinion. There may be easements or other linking factors not shown on this survey which affect the subject property.
9. The utilities shown on this survey are according to observed evidence only. Widseth assumes no responsibility for the completeness and accuracy of these locations. Further locations and verifications are recommended before any construction or excavation.

IMPERVIOUS CALCULATIONS:

TOTAL AREA = 19,633 ± SQ.FT.
EXISTING CONDITIONS:
IMPERVIOUS COVERAGE = 6,568 SQ.FT.
BUILDINGS = 2,198 SQ. FT.
CONCRETE AND PAVERS = 496 SQ. FT.
GRAVEL = 3,086 SQ. FT.
RET. WALLS = 79 SQ.FT.
DECKS = 533 SQ.FT.
IMPERVIOUS PERCENTAGE = 43.6 %
(6,568 / 15,055 = 0.4364)
PROPOSED CONDITIONS:
IMPERVIOUS COVERAGE = 4,220 SQ.FT.
BUILDINGS = 2,117 SQ. FT.
CONCRETE AND PAVERS = 928 SQ. FT.
GRAVEL = 737 SQ. FT.
RET. WALLS = 79 SQ. FT.
DECKS = 45 SQ.FT.
IMPERVIOUS PERCENTAGE = 27.5 %
(4,220 / 15,335 = 0.2749)

PROPOSED BUILDING DETAIL (SCALE T=10')



* 2500 sq ft of roof with 1" of rain equals 1500 gallons of rain, the rain garden can handle 2800 gallons per 12" of depth, so at 72" depth, rain garden can handle 16,800 gallons of water, with a drain time of 4" of rain every 2 hours

WIDSETH
ARCHITECTS & ENGINEERS • BREZZY POINT, MN

DRAWN BY: ARS
CHECKED BY: CPS
THESEY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA
CURTIS P. SAWYER LIC. NO.: 59005 DATE: 07/24/2025

DATE	AMENDMENT DESCRIPTION	PREPARED FOR

JEFF KUFFEL



Jeff Kuffel <jeffkuffel56@gmail.com>

Letter of support

1 message

Suzanne Stordahl <suzanne.stordahl@gmail.com>
To: jeffkuffel56@gmail.com
Cc: Paul Stordahl <paul.stordahl@gmail.com>

Tue, Sep 2, 2025 at 12:33 PM

Dear City of Breezy Point Officials,

I am writing a letter of support for the building variance request submitted by Jeff and Siobhan Kuffel for their cabin rebuild project on Hilltop Drive.

We live on the same road as Kuffel's two doors apart. We have lived here seasonally since 1999 and own 150' of waterfront. We are neighbors who look out for each other sharing snow plowing duties and other tasks.

We understand that Kuffel's are seeking a variance that allows their structure to be closer to the water than typical and slightly wider. We know that Kuffels are good stewards of their property and the lake and believe local citizens should have the right to develop their property for their needs as long as ordinances and variances are followed. We believe the Kuffels are law abiding citizens who want to do things the right way. We have no issues with their minor requests to build their dream retirement home.

Please grant them their requested variance.

Thank you,
Suzanne and Paul Stordahl
10616 Hilltop Drive
Breezy Point
612-963-1494

Sent from my iPhone

David Olmstead
17324 69th Ave N
Maple Grove, MN 55311

August 28, 2025

To Whom It May Concern,

I am writing in support of Jeff and Shivaun Kuffel as they move forward with building their new home on Lake Ossawinnamakee in Breezy Point. My cabin is located directly to the west of theirs at 10660 Hilltop Drive, and I have had the pleasure of discussing their building plans with them.

Jeff and Shivaun have been nothing but thoughtful and considerate neighbors. They explained the build process openly, politely asked about temporarily moving my shed and gas tank, and even offered to cover the cost of relocating them and moving them back once their current home has been moved. Their approach shows both respect for their neighbors and responsibility in the building process.

Beyond this project, Jeff and Shivaun are excellent stewards of their property and of Lake Ossawinnamakee. They take great care of their land and consistently show respect for the lake and surrounding environment. They are helpful, dependable neighbors, and Breezy Point is truly blessed to have them as full-time residents.

I am confident their new cabin will be a beautiful addition to the lake, and I look forward to seeing their vision come to fruition.

Sincerely,



David Olmstead
10660 Hilltop Drive
Breezy Point, MN

City of Breezy Point
Notice of Public Hearing
Tuesday September 16, 2025, 6:30 p.m.
Breezy Point Public Safety Building

Section 7, Item A.

To Whom It May Concern:

The Public Hearing originally scheduled for September 9 has been rescheduled to **September 16.**

Notice is hereby given the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on September 16, 2025 at 6:30 p.m. or shortly thereafter at Breezy Point Public Safety Building, 8361 County Road 11, to consider the following;

Variance Application V-25-002 Jeffrey and Shivaun Kuffel 10672 Hilltop Drive. Lot 18 Valley of Contentment. Parcel 10020643. Zone R-2 Medium Residential. Requesting a Variance from Section 153.032 and 153.045 of the Breezy Point City Code Dwelling Closer than 75 feet from Ordinary High Water Mark (OHW) Lake Ossawinnamakee. (59.2 feet proposed) and 13.2 feet from side yard property line.

Rezoning Application Whitebirch, Inc. (7891 County Road 11) Portion of Outlot D, and Outlot C, Whitebirch 7. Parcels 10170500, 10170778 (holes 7-8-9 Whitebirch Golf Course) Request rezoning R-4 Multi-Family Residential to RC Resort Commercial and RC Resort Commercial to R-4 Multifamily Residential.

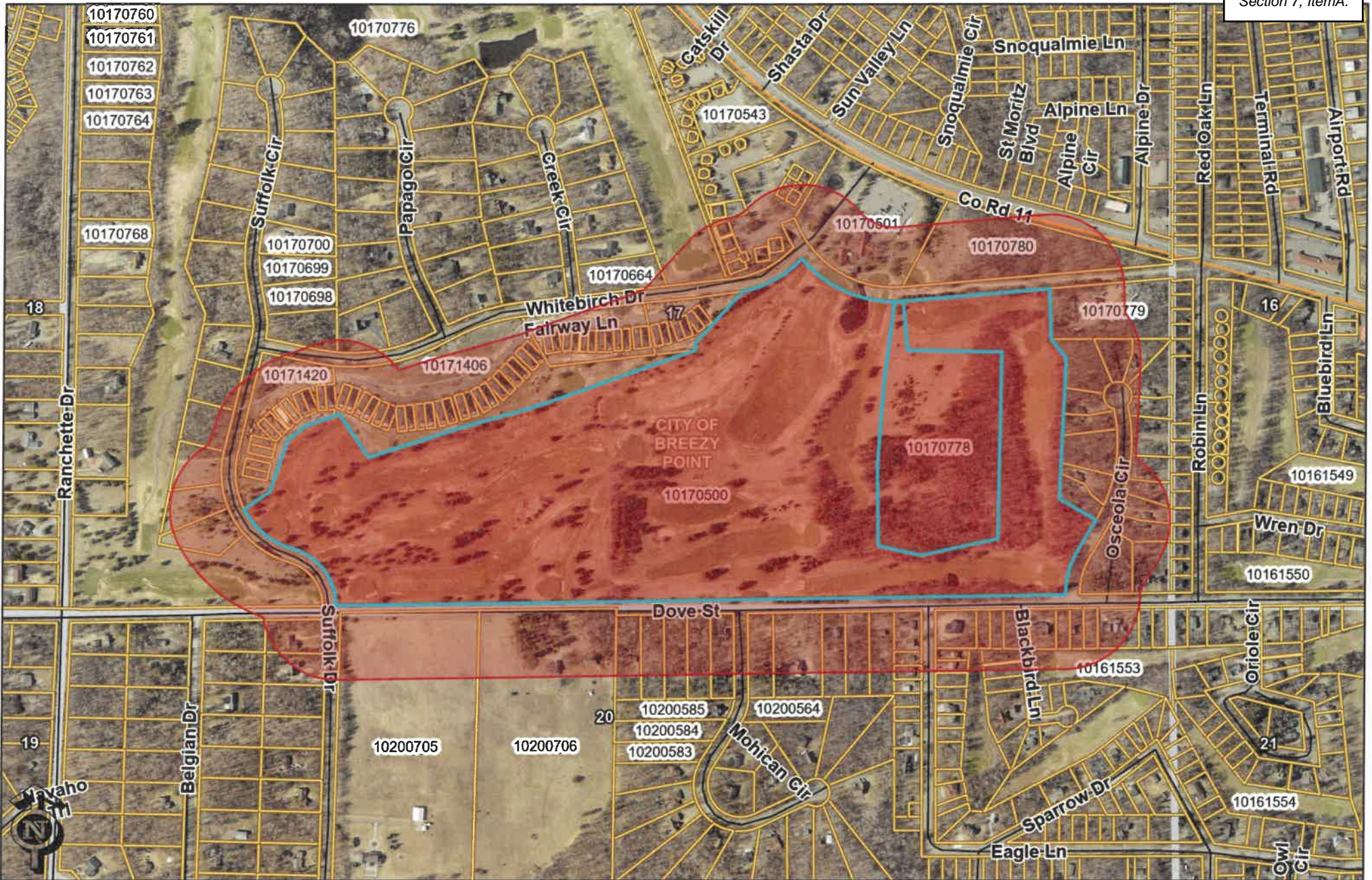
Petition to Vacate utility and drainage easements within Outlot C Whitebirch 7TH Addition and Utility and Drainage Easement across Outlot D Whitebirch 7TH Addition between Osceola Circle and Outlot C Whitebirch 7TH Addition.

Subdivision Application Whitebirch Inc 7891 County Road 11. Preliminary and Final Plat of Whitebirch Fairway Addition R-4 and RC Zoning.

A notice relative to above listed requests 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 any property owner has been missed, or our records are not correct.

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

Jerry Bohnsack
Planning & Zoning
City of Breezy Point
218-569-1003
jbohnsack@cityofbreezypointmn.us



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.



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

Received by City: 8/15/20 Section 7, Item A.
 Application Number: Z-25-002
 Non-refundable Fee Paid: 250.00
 Receipt #: 24978

Petition for Rezoning

Name of Applicant ~~XXXX~~ Whitebirch, INC.
 Address 9252 Breezy Point Dr Email: dlandecker@breezypointresort.com
 City, State, Zip Breezy Point, MN 56472
 Phone 218-831-9283 Alternate Phone 218-820-4038
DAVID SPIZZO DAVID LANDECKER

I (we), owner(s) of the property described below, do hereby respectfully petition your Honorable Body to amend the present Zoning Ordinance / Zoning Map, pursuant to Section 8.10, Subd. 4 as hereinafter designated, and in support thereof, the following facts are presented:

Legal Description of Property (See Description Exhibit For Full Legals)
that part of OUTLOT C AND OUTLOT D Whitebirch
Seven according to the recorded plat thereof Crow Wing County, MN
 Parcel ID Number 1017078 (BLK R-4), 10170900 (040) Area of Property (sq. ft. or acres): 24.08 ACRES
 Current Zoning 1017078 = R-4 Proposed Zoning PARCEL A = RC Surrounding Zoning Districts: R-4, C, RC
 District: 1017500 = RC District: PARCEL B = R-4

Describe briefly the expected effect of the proposed amendment. How will the immediate area be impacted?
the proposed amendment will all the reconfiguration of fairway
8+9 AND consolidate the rearrangement of these two parcels to
connect to abutting and similar zoning classified properties
 What error in the existing Ordinance would be corrected by the proposed amendment?
No error

What changed or changing conditions of the area makes passage of this amendment necessary?
Reconfiguration of Golf course fairways 8+9 Whitebirch Course

Is the proposed rezoning compatible with the surrounding land uses? Yes No Please explain:
Parcel A will abut current Golf course RC zoning
Parcel B - will abut existing R-4 zoning lot in Blk 5

Is the proposed rezoning consistent with the Breezy Point Comprehensive Plan? If not, state why the Planning Commission and City Council should consider the amendment.
yes

Other circumstances that justify the amendment: The parcels will be platted
OUTLOT A will be consolidated with Golf course OUTLOT AND
OUTLOT B will be for future R-4 development.

Signature of Applicant(s): [Signature]
 (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.

APPLICATION INFORMATION TO BE INCLUDED:

1. Map (e.g. plat map) showing property to be re-zoned, zoning districts, and public streets abutting the property
2. Scaled site sketch showing existing structures, wetlands, driveway/parking areas, vegetative features, signs, and other significant landforms/features.

Parcel A
Resort Commercial (RC) zoning classification portion
OUTLOT A, WHITEBIRCH FAIRWAY

That part of Outlot C and that part of Outlot D, WHITEBIRCH SEVEN, according to the recorded plat thereof, Crow Wing County, Minnesota, described as follows;

Beginning at the southeast corner of said Outlot C, and assuming the east line of said Outlot C, bears North 00 degrees 55 minutes 01 seconds East; thence South 77 degrees 44 minutes 11 seconds West along the south line of said Outlot C, a distance of 372.50 feet; thence North 77 degrees 32 minutes 41 seconds West along said south line 210.00 feet to the southwest corner thereof, thence North 00 degree 48 minutes 34 seconds West along the west line of said Outlot C, a distance of 382.50 feet; thence North 04 degrees 23 minutes 39 seconds East along said west line 426.50 feet; thence North 07 degrees 24 minutes 08 seconds East along said west line 351.50 feet; thence North 00 degrees 43 minutes 26 seconds West 33.00 feet to the centerline of vacated Shawnee Pass said plat; thence easterly 37.68 feet along said centerline being a nontangential curve concave to the northeast having a radius of 533.00 feet, a central angle of 04 degrees 03 minutes 01 seconds and the chord of said curve chord bears North 87 degrees 15 minutes 04 seconds East for a chord length of 37.67 feet; thence North 85 degrees 13 minutes 34 seconds East along said center line 207.66 feet; thence South 05 degrees 56 minutes 38 seconds East 333.45 feet; thence South 08 degrees 49 minutes 29 seconds West 546.18 feet; thence South 63 degrees 20 minutes 12 seconds East 769.05 feet to the westerly right of way line of Osceola Circle said plat; thence South 30 degrees 39 minutes 19 seconds West along said right of way line 18.00 feet to the intersection with a line bearing South 81 degrees 19 minutes 35 seconds East from the point of beginning; thence North 81 degrees 19 minutes 35 seconds West 380.84 feet to the point of beginning.

(for zoning purposes only)

Parcel B
Multi Family Residential (R-4) zoning classification portion
OUTLOT B, WHITEBIRCH FAIRWAY

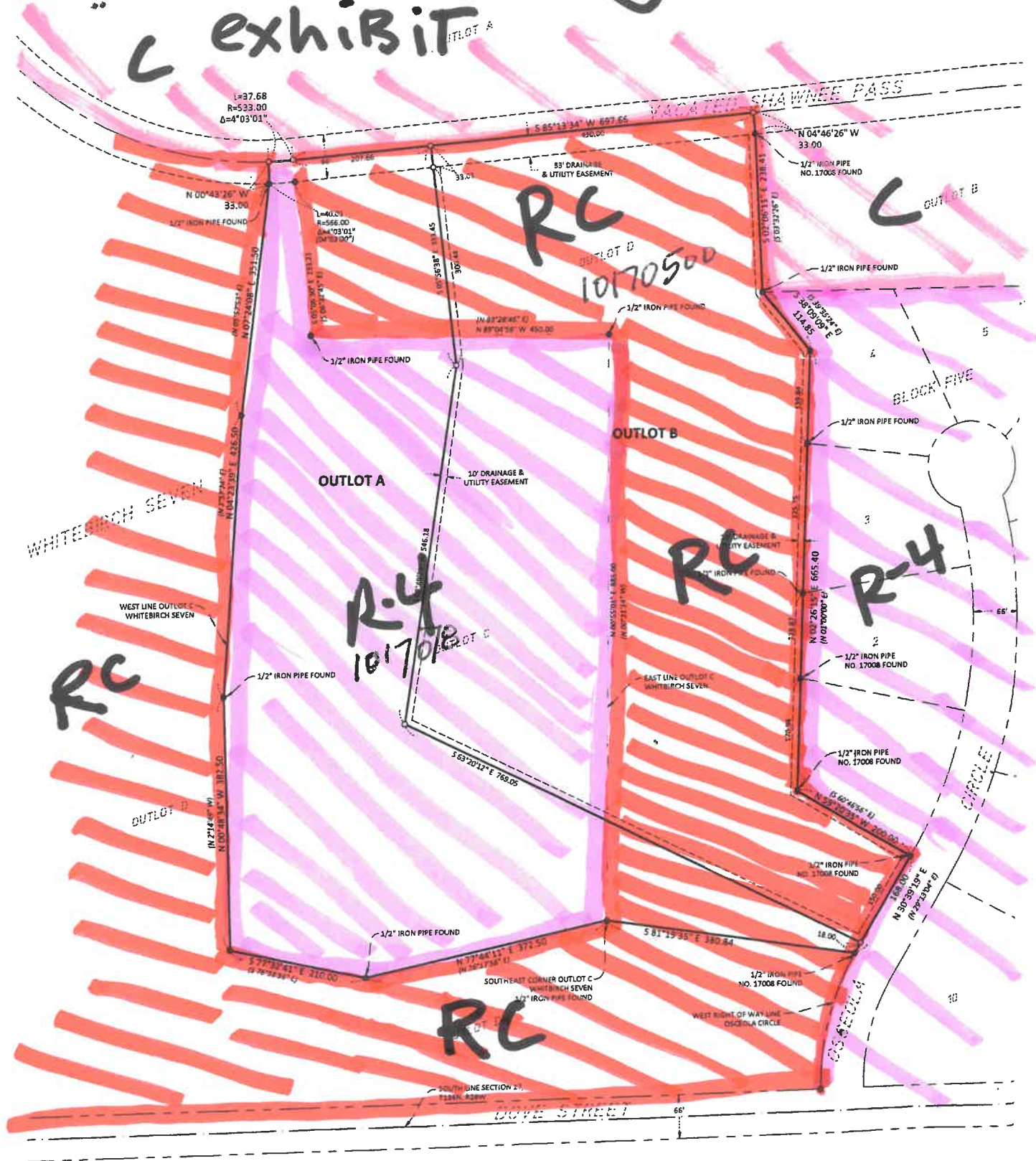
That part of Outlot C and that part of Outlot D, WHITEBIRCH SEVEN, according to the recorded plat thereof, Crow Wing County, Minnesota, lying easterly and northeasterly of the following described line;

Commencing at the southeast corner of said Outlot C, and assuming the east line of said Outlot C, bears North 00 degrees 55 minutes 01 seconds East; thence South 77 degrees 44 minutes 11 seconds West along the south line of said Outlot C, a distance of 372.50 feet; thence North 32 degrees 32 minutes 41 seconds West along said south line 210.00 feet to the southwest corner thereof; thence North 00 degree 48 minutes 34 seconds West along the west line of said Outlot C, a distance of 382.50 feet; thence North 04 degrees 23 minutes 39 seconds East along said west line 426.50 feet; thence North 07 degrees 24 minutes 08 seconds East along said west line 351.50 feet; thence North 00 degrees 43 minutes 26 seconds West 33.00 feet to the centerline of vacated Shawnee Pass said plat; thence easterly 37.68 feet along said centerline being a nontangential curve concave to the northeast having a radius of 533.00 feet, a central angle of 04 degrees 03 minutes 01 seconds and the chord of said curve chord bears North 87 degrees 15 minutes 04 seconds East for a chord length of 37.67 feet; thence North 85 degrees 13 minutes 34 seconds East along said center line 207.66 feet, to the point of beginning of the line to be described; thence South 05 degrees 56 minutes 38 seconds East 333.45 feet; thence South 08 degrees 49 minutes 29 seconds West 546.18 feet; thence South 63 degrees 20 minutes 12 seconds East 769.05 feet to the westerly right of way line of Osceola Circle, said plat, and said line there terminating.

(for zoning purposes only)

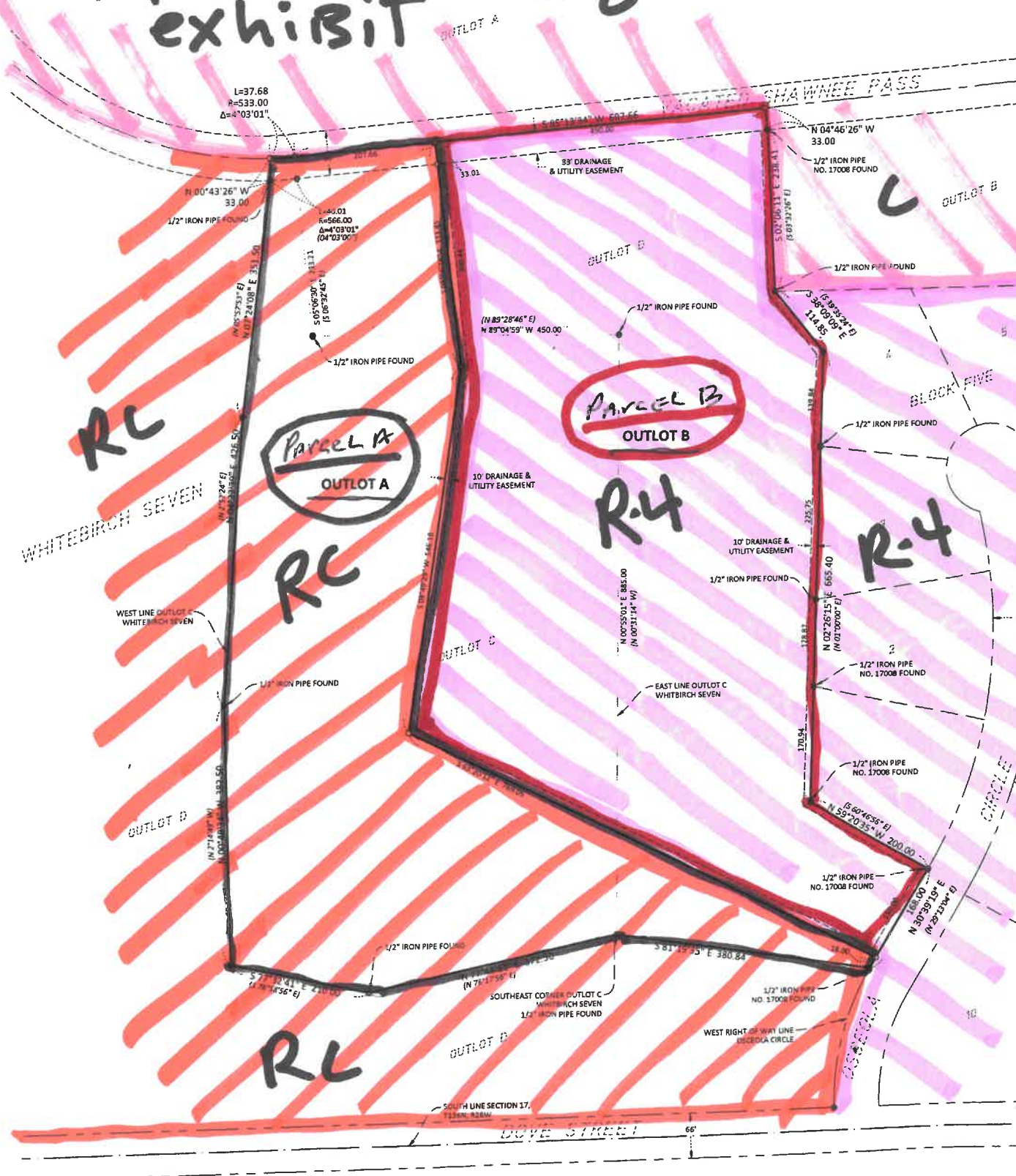
WHITEBIRCH FAIRWAY

CURRENT ZONING EXHIBIT



WHITEBIRCH FAIRWAY

Proposed Zoning exhibit



TO: Planning Commission

FROM: Jerry Bohnsack

Applicant: Whitebirch, Inc.

Meeting of September 16, 2025

Rezone – Vacate easements. Subdivision of proposed Zoned properties
NE Quadrant Whitebirch Golf Course.

- A. The NE Quadrant of the Whitefish Golf Course currently hosts holes 7, 8, and 9 and Outlot C of Whitebirch Seven. Abutting the NE Quadrant in Block 5 and Outlot B of Whitebirch seven current zoning of the properties is:
Golf Course: RC
Outlot B: Commercial
Outlot C: R-4
Block 5: R-4

Whitebirch Inc. is proposing to reconfigure the NE Quadrant of the Whitebirch Golf Course by utilizing the south and west portions of Outlot C for a reroute of holes 7, 8, and 9. This area is proposed to become RC. The area is proposed currently hosts holes 8 and 9 and the East portion of the lot C is proposed to become R-4.

- B. At the time that Whitebirch 7 was platted access to Outlot C was proposed from Shawnee Pass. Since Vacated (1983). Utility and Drainage easements from Osceola Circle to and into Outlot C were included in the Plat.

Whitebirch is reevaluating the access to Outlot C and is considering access from Osceola Circle. Access Option and replat of the area negate the need for the easements. This is the request to Vacate the easements.

- C. With the rerouting of Golf Holes 8 and 9 and the rezoning of the property Whitebirch Inc. has made application for a proposed Subdivision Whitebirch Fairway. Two Lots Subdivision Outlot A and Outlot B (R-4)

Prior to utilizing Outlot A or B the Outlots would need to be re-platted.

§ 153.034 MULTI-FAMILY RESIDENTIAL (R-4).

It is the intent of this district to establish and maintain a residential land use containing multi-family structures, sewerred by public sewer, developed by PUD and compatible with the natural resources of General Development lakes where applicable.

A. Allowed without a permit

1. Limited Camping on Improved lots only
2. Camping; Construction and Reconstruction with active building permit, limited to 6 months in duration
3. Grading/fill of 50 cubic yards or less
4. Private Motor Vehicles sales of 2 or less annually
5. Residential Identification Sign (up to three square feet)
6. Snowmobile Trail
7. Select Vegetation Removal

B. Permitted Uses – Requires a Permit

1. Accessory Structure cumulative up to 2% of parcel size on parcels 2 acres or more up to a maximum of 5,000 square feet
2. Dwelling; Single family 26 feet by 26 feet or wider

§ 153.034

3. Grading/fill of 50 cubic yards or more
4. State Licensed Residential Facility
5. Storage Shed 10 by 12 ft. or smaller or no greater than 120 square feet and 12 feet high

C. Conditional Uses

1. Accessory Structure cumulative up to 1,600 sq. ft. on parcels 2 acres or less
2. Accessory Structures on parcels 5 acres or more, a cumulative maximum of 2% of the parcel size
3. Churches
4. Dwelling; Duplex with subdivision (requires zero lot line division)
5. Dwelling; Single Family with Guest Cottage no greater than 700 square feet
6. Dwelling; Triplex-Quad units
7. Manufactured Home Development
8. Nursing home/hospital
9. Parks and Historical Sites
10. PUD; Interval Ownership

- 11. PUD Residential single and/or two family
- 12. PUD; Mixed Use
- 13. Rental Apartments
- 14. Revised rear Setback; a minimum of 10 feet up to the required 35 feet
- 15. Area Identification Sign
- 16. Used Structure moved on site
- 17. Open Vegetation Removal

D. Interim Uses

- 1. Boarding House
- 2. Home Occupation
- 3. Residential Rentals more than 4 times per year

E. Excluded or Prohibited Uses: In addition to the following shown uses, uses **not** listed as Allowed, Permitted, Conditional or Interim are prohibited.

- 1. Accessory structure without a principle structure
- 2. Dwellings less than 26 feet wide
- 3. Adult uses Principal or Accessory
- 4. Motel/Hotel

§ 153.034

F. Similar Uses: Uses listed as Permitted, Conditional, Interim and Prohibited in this zone shall not be considered all inclusive. Uses similar to those listed may also be considered.

G. Lot Size, Setback, Height and Use Requirements for this sewered district:

1. Single Family Lot Area; minimum	10,000
2. Lot Area; with Guest Dwelling	17,500
3. Lot Area; Duplex	20,000
4. Lot Area; PUD; 3 units minimum	30,000
5. New Subdivision Lots	2 acres
6. New Subdivision with Guest Dwelling	4 acres
7. New Subdivision; Duplex	4 acres
8. New PUD; 3 units minimum	30,000
9. Lot Width; Single Family minimum	75 feet
10. Lot Width; minimum with Guest Dwelling	
11. Lot Width; Duplex	150 feet

12. PUD; Minimum Lot Width	190 feet
13. Lot Frontage on Public ROW	33 feet
14. Structure Setback; County ROW	35 feet
15. Structure Setback; City ROW	35 feet
16. Structure Setback; Rear	35 feet
17. Structure Setback; Side	20 feet
18. Structure Setback; Between buildings	15 feet
19. Structure Setback; Top of bluff	30 feet
20. Structure Setback; Wetland	30 feet
21. Driveway Setback	20 feet
22. Setback; 10 by 12 or smaller shed	3 feet rear and side
23. Impervious Coverage: Maximum	30%
24. Height; Primary Structure; Maximum	35 feet
25. Height; Accessory Structure	15 feet

§153.039 Resort Commercial (RC).

It is the intent of this district to establish and maintain a district consisting of resort related and non-resort related including retail, rental units, condominiums, timeshare units, marinas, and mixed use buildings, along with other recreational oriented uses such as golf courses and recreational vehicle parks while also ensuring protection of the natural resources that allow the community to thrive.

A. Allowed without a Permit

- 1. Grading/fill of less than 50 Cubic Yards

§153.039

B. Permitted Uses – Requires a Permit

- 1. Sign, on-site
- 2. Storage Shed 10 by 12 ft. or smaller or no greater than 120 square feet and 12 feet high
- 3. Fence
- 4. Grading/fill of more than 50 Cubic Yards
- 5. Parks and Historical Sites
- 6. Professional Buildings
- 7. Public Buildings
- 8. Recreational Facilities; Public
- 9. Retail Stores
- 10. Area Identification Signs
- 11. On-site Commercial Signs
- 12. Working in the Shore Impact Zone

C. Conditional Uses

- 1. Apartments
- 2. Accessory Structure without Principle Structure
- 3. Cumulative Accessory Structure up to 2,400 sq. ft. on parcels less than 2 acres
Cumulative accessory structure up to 2% of parcel size on parcels over two acres
- 3. Accessory Structure Height in excess of 15 feet up to 25 feet
- 4. Boarding House
- 5. Campground
- 6. Churches
- 7. Controlled Access Lots
- 8. Golf Course
- 9. Marina
- 10. Mixed Use Buildings ,not to exceed 50% residential
- 11. Hotel/Motel

- 12. Private Motor Vehicle Sales of 3 or more annually
- 13. Planned Unit Development; Interval Ownership
- 14. Planned Unit Development; Commercial
- 15. Recreational Camping Area
- 16. Recreational Facility; Resort Guests
- 17. Recreational Vehicle Park
- 18. Restaurants
- 19. Off-Site Commercial Sign
- 20. Social Club
- 21. Storage Units (sale or rental, Storage units for sale shall be cooperative or condominium and shall meet the criteria for a commercial PUD)
- 22. Theater

§153.039

- 23. Towers (Less than 100 feet tall if within 2640 feet of OHW)
- 24. Used Structure Moved onto property
- 25. Vacation Rentals more than 4 per year
- 26. Open Vegetation Removal

D. Interim Uses

- 1. None

E. Prohibited or Excluded Uses: In addition to the following shown uses, uses **not** listed as Allowed, Permitted, Conditional or Interim are prohibited.

- 1. Adult Oriented Business
- 2. Junk Yard

F. Similar Uses: Uses listed as Permitted, Conditional, Interim and Prohibited in this zone shall not be considered all inclusive. Uses similar to those listed may also be considered.

G. Lot Size, Setback, Height and Use Requirements:

	G.D. Lake or non- <u>Shoreland</u>	N.E. <u>Lake</u>
1. Lot area (sq. ft.); minimum - sewerd	20,000	N/A
2. Lot area (sq. ft.); minimum –unsewered	40,000	2.5 Acres
3. Lot width; minimum	100 feet	200 feet
4. Lot Frontage on Public ROW	33 feet	33 feet
5. Setback; County ROW	35 feet	35 feet

6. Setback; City ROW	35 feet	35 feet
7. Setback; side	20 feet	25 feet
8. Setback; OHW - sewerred	50 feet	N/A
Setback; OHW - unsewerred	75 feet	150 feet
9. Setback; 10 by 12 or smaller shed	3 feet rear and side	
10. Setback; top of bluff	30 feet	30 feet
11. Setback; wetland.	30 feet	30 feet
12. Setback; rear (off-lake only)	35 feet	35 feet
13. Setback; from residential lot line	40 feet	40 feet
14. Setback; parking (from any lot line)	5 feet	5 feet
15. Impervious Coverage; maximum	25%	25%
	G.D. Lake or non- <u>Shoreland</u>	N.E. <u>Lake</u>
16. Accessory Building Height	15 feet	15 feet
17. Building Height; Maximum	none, set by C.U.P or 25' if adjacent to public water	

(Ord. 10-018, 3rd Series, passed 11-01-2010; Ord. 16-01, 3rd Series, passed 05-02-16;
Ord. 17-03, 3rd Series, passed 08-07-2017)

RESIDUE CERTIFICATE

No. 111770

Transferred from Certificate Number(s): 104651 by Document Number 271785

Originally registered on the 2 day of December, 1979, Volume 126 Page 206, the 6 day of December, 1973, Volume 103 Page 282,293,297

STATE OF MN	}	S.S.	REGISTRATION
COUNTY OF CROW WING	}		

This is to certify that

WHITEBIRCH, INC,

is now the owners of an estate, in fee simple of and in the following described land, situated in the County of Crow Wing and State of MN,

PUBLIC COPY

Outlot D, WHITEBIRCH SEVEN, according to the recorded plat thereof, Crow Wing County, Minnesota,

EXCEPT that part described as follows: Beginning at the Southwest corner of Lot 4, Block Four, said plat; thence South 57 degrees 01 minute 03 seconds East, assumed bearing, along the South line of said Lot 4 for a distance of 272.00 feet to the Southwest corner of Lot 5, said Block Four; thence North 62 degrees 11 minutes 49 seconds East along the South line of Lots 5 through 8, said Block Four, 700.00 feet to the Southwest corner of Lot 9, said Block Four; thence North 82 degrees 13 minutes 04 seconds East along the South line of said Lot 9 for a distance of 175.00 feet; thence South 10 degrees 47 minutes 37 seconds West 187.49 feet; thence South 72 degrees 30 minutes 32 seconds West 439.70 feet; thence South 70 degrees 21 minutes 48 seconds West 408.33 feet; thence North 35 degrees 51 minutes 03 seconds West 310.20 feet, more or less, to the point of beginning; AND ALSO EXCEPT that part lying Northwesterly of the following described line: Commencing at the Northeast corner of Lot 13, Block Four, said plat; thence South 07 degrees 46 minutes 56 seconds East, assumed bearing, along the Easterly line of said Lot 13, for a distance of 218.95 feet to the point of beginning of the line to be herein described; thence North 40 degrees 52 minutes 00 seconds East 335.28 feet, more or less, to the Southerly right-of-way line of CHINOOK TRAIL as dedicated in said plat and said described line there terminating.

And also except that part of OUTLOT D, WHITEBIRCH SEVEN, according to the plat thereof, crow wing county, minnesota lying northerly of the following described line; beginning at the southeast corner of LOT 19, COMMON INTEREST COMMUNITY 1107, A PLANNED COMMUNITY WHITEBIRCH VILLAGE, according to the recorded plat thereof, said county, and assuming the south line of said LOT 19 has a bearing of south 82 degrees 13 minutes 04 seconds west; thence south 68 degrees 54 minutes 18 seconds west 784.40 feet; thence south 72 degrees 32 minutes 29 seconds west 435.59 feet; thence south 70 degrees 21 minutes 48 seconds west 409.83 feet; thence north 35 degrees 51 minutes 03 seconds west 252.22 feet; thence south 68 degrees 54 minutes 41 seconds west 167.84 feet; thence south 50 degrees 04 minutes 42 seconds west 107.26 feet; thence south 17 degrees 09 minutes 37 seconds west 257.00 feet; thence south 54 degrees 07 minutes 11 seconds west 148.75 feet, more or less, to the west line of said OUTLOT D and said described line there terminating.

Subject to a mineral reservation on Outlot "C" of Twenty-sixth Addition to Breezy Point Estates.

AND ALSO

Outlot A, WHITEBIRCH SEVEN, according to the plat thereof on file in the office of the Registrar of Titles in and for said county, EXCEPT that part lying Northwesterly of the following described line: Beginning at the point where the Northeasterly extension of the line common to Lots 7 and 8, Block 3, said plat intersects with the Easterly right of way line of SHAWNEE PASS, and assuming said common line bears North 68 degrees 17 minutes 19 seconds East; thence North 28 degrees 57 minutes 35 seconds East 383.45 feet, more or less, the the Southerly right of way line of County State Aid Highway Number 11 and said line there terminating.

AND ALSO

AND ALSO

Outlot E, WHITEBIRCH SEVEN, according to the plat thereof on file in the office of the Registrar of Titles in and for said county.

EXCEPT

That part of Outlot E, WHITEBIRCH SEVEN, according to the recorded plat thereof, Crow Wing County, Minnesota, described as follows: Beginning at the common corner of Lot 32 and Lot 31, both in Block One, said plat, on the northerly line of said Outlot E and assuming the westerly line of said Lot 32 bears North 39 degrees 47 minutes 50 seconds East; thence South 39 degrees 4 7 minutes 50 seconds West along the southwesterly extension of said westerly line 69.49 feet; thence South 48 degrees 47 minutes 13 seconds East 40.40 feet; thence North 89 degrees 54 minutes 08 seconds East 441.64 feet; thence North 17 degrees 45 minutes 20 seconds East 188.77 feet to the easterly line of Lot 33, Block One; thence South 44 degrees 20 minutes 38 seconds West along said easterly line 139.39 feet; thence South 86 degrees 13 minutes 38 seconds West along the southerly lines of said Lots 33 and 32 for a distance of 358.00 feet; thence North 53 degrees 17 minutes 58 seconds West along said southerly line of said Lot 32 for a distance of 38.00 feet, more or less, to the point of beginning.

Subject to a mineral reservation on Outlot "C" of Twenty-sixth Addition to Breezy Point Estates.

Title Notes: **PUBLIC COPY**

Every person receiving a certificate of title pursuant to a decree of registration and every subsequent purchaser of registered land who receives a certificate of title in good faith and for a valuable consideration shall hold it free from all encumbrances and adverse claims, excepting only the estates, mortgages, liens, charges, and interests as may be noted in the last certificate of title in the office of the registrar, and also excepting any of the following rights or encumbrances subsisting against it, if any:

- (1) liens, claims or rights arising or existing under the laws or the Constitution of the United States, which this state cannot require to appear of record;
- (2) the lien of any real property tax or special assessment;
- (3) any lease for a period not exceeding three years when there is actual occupation of the premises thereunder;
- (4) all rights in public highways upon the land;
- (5) the right of appeal, or right to appear and contest the application, petition, or other proceeding affecting the title, as is allowed by this chapter;
- (6) the rights of any person in possession under deed or contract for deed from the owner of the certificate of title; and
- (7) any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

No existing or future lien for state taxes arising under the laws of this state for the nonpayment of any amounts due under chapter 268 or any tax administered by the commissioner of revenue may encumber title to lands registered under this chapter unless filed under the terms of this chapter

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
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41326	DECREE OF REGISTRATION	12/06/1973 09:00 AM	11/26/1973	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF MINNESOTA POWER & LIGHT COMPANY

Memorial Notes:
SUBJECT TO A TRANSMISSION LINE EASEMENT (ET AL)
(ET AL)

71478	ORDER	11/04/1985 09:00 AM	07/24/1985	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF COUNTY OF CROW WING, PETIT. & OSCAR GRAVHDAL, LOY T. PFEIFFER & LILLIAN R. PFEIFFER, RESP.

Memorial Notes:
IN THE MATTER OF THE CONDEMNATION OF CERTAIN LANDS FOR COUNTY HIGHWAY RIGHT OF WAY PURPOSES. (ET AL)
(ET AL)

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
86520	RIGHT OF WAY EASEMENT	08/04/1988 09:00 AM	06/13/1988	\$0.00	Gary Griffin
RUNNING IN FAVOR OF CROW WING COOPERATIVE POWER & LIGHT CO. Memorial Notes: EASEMENT TO CONSTRUCT, OPERATE AND MAINTAIN AN ELECTRIC DISTRIBUTION LINE. (OUTLOT E)					
134333	CONTRACT	12/31/1998 08:00 AM	12/30/1998	\$0.00	Gary Griffin
RUNNING IN FAVOR OF BREEZY POINT SPORTS, INC. Memorial Notes: (ET AL)					
227319	EASEMENT	06/24/2014 09:03 AM	04/22/2014	\$0.00	Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. -TO- BREEZY POINT, CITY OF Memorial Notes: AN EASEMENT OVER PART OF OUTLOT E, REGARDING A MUNICIPAL SEWER SYSTEM, AS MORE FULLY DESCRIBED IN DOCUMENT #227319. (P/O OUTLOT E)					
227321	EASEMENT	06/24/2014 09:03 AM	05/20/2014	\$0.00	Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. -TO- BREEZY POINT, CITY OF Memorial Notes: AN EASEMENT FOR UTILITY PURPOSES OVER, UNDER AND ACROSS OUTLOT E, AS MORE FULLY DESCRIBED IN DOCUMENT #227321. (OUTLOT E) (ET AL)					
254503	MORTGAGE	02/14/2020 04:10 PM	02/12/2020	\$1,542,750.00	Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. -TO- BREMER BANK, NATIONAL ASSOCIATION Memorial Notes: (ET AL)					
254504	ASSGMT. LEASES & RENTS	02/14/2020 04:10 PM	02/12/2020		Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. -TO- BREMER BANK, NATIONAL ASSOCIATION Memorial Notes: (ET AL)					
266957	MODIFICATION OF MORTGAGE	02/28/2022 04:37 PM	02/14/2022		Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC.-TO-BREMER BANK, NATIONAL ASSOCIATION Memorial Notes: #254503 (ET AL) (OUTLOT E AND PT OF OUTLOTS A & D) EXTEND MATURITY DATE TO 2/12/2024					

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
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275953	SATISFACTION OF MORTGAGE	02/08/2024 08:55 AM	02/01/2024		Gary Griffin
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RUNNING IN FAVOR OF BREMER BANK NATIONAL ASSOCIATION - TO - WHITEBIRCH, INC.

Memorial Notes:
#254503 & #254504

(ET AL)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed seal of my office this the 10 day of February, 2023 Gary Griffin, Register, in and for the County of Crow Wing and State of MN.

PUBLIC COPY

RESIDUE CERTIFICATE

No. 111768

Transferred from Certificate Number(s): 109181,60544,104651 by Document Number 271785
Originally registered on the 16 day of December, 1973, Volume 103 Page 282,293,297

STATE OF MN } **S.S.** **REGISTRATION**
COUNTY OF CROW WING }

This is to certify that

WHITEBIRCH, INC,

is now the owners of an estate, in fee simple of and in the following described land, situated in the County of Crow Wing and State of MN,

Lots Twenty-three (23), Fifty (50), Fifty-one (51), BLOCK ONE (1);
Lots Sixteen (16), AND Twenty-two (22), BLOCK TWO (2);

AND

Outlots B and C, all in WHITEBIRCH SEVEN, according to the plat thereof on file and of record in the office of the Registrar of Titles in and for said county and state.

Subject to mineral reservation on Outlot "C" of Twenty-sixth Addition to Breezy Point Estates.

Title Notes:

Every person receiving a certificate of title pursuant to a decree of registration and every subsequent purchaser of registered land who receives a certificate of title in good faith and for a valuable consideration shall hold it free from all encumbrances and adverse claims, excepting only the estates, mortgages, liens, charges, and interests as may be noted in the last certificate of title in the office of the registrar, and also excepting any of the following rights or encumbrances subsisting against it, if any:

- (1) liens, claims or rights arising or existing under the laws or the Constitution of the United States, which this state cannot require to appear of record;
- (2) the lien of any real property tax or special assessment;
- (3) any lease for a period not exceeding three years when there is actual occupation of the premises thereunder;
- (4) all rights in public highways upon the land;
- (5) the right of appeal, or right to appear and contest the application, petition, or other proceeding affecting the title, as is allowed by this chapter;
- (6) the rights of any person in possession under deed or contract for deed from the owner of the certificate of title; and
- (7) any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

No existing or future lien for state taxes arising under the laws of this state for the nonpayment of any amounts due under chapter 268 or any tax administered by the commissioner of revenue may encumber title to lands registered under this chapter unless filed under the terms of this chapter

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
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41326	DECREE OF REGISTRATION	12/06/1973 09:00 AM	11/26/1973	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF
MINNESOTA POWER & LIGHT CO.

Memorial Notes:
SUBJECT TO A TRANSMISSION LINE EASEMENT. (ET AL)
(ET AL)

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
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59923	VACATION	06/15/1983 09:00 AM	06/06/1983	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF PUBLIC

Memorial Notes:
THAT PART OF SHAWNEE PASS AS PLATTED IN WHITEBIRCH 7, LYING BETWEEN EXTENSION

NE'LY OF THE CURVE SE'LY R.O.W. OF CHINOOK TRAIL & THE EAST LINE OF 17-136-28

IS HEREBY VACATED. (ET AL)
OUTLOTS B & C

68936	CONTRACT FOR SALE	06/07/1985 09:00 AM	04/27/1985	\$12,000.00	Gary Griffin
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RUNNING IN FAVOR OF ROBERT L. PETERSON ROXANNE M. PETERSON, JT TENS

Memorial Notes:
ASSIGNED TO NORWEST BANK OF ST. PAUL (LOT 50, BLK 1)

73396	CONTRACT FOR SALE	03/28/1986 09:00 AM	05/26/1985	\$15,000.00	Gary Griffin
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RUNNING IN FAVOR OF JOHN K. N. HO WAN-LING HO, JT TENS

Memorial Notes:
(LOT 22, BLK 2)

77038	CONTRACT FOR SALE	11/12/1986 09:00 AM	09/21/1986	\$15,000.00	Gary Griffin
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RUNNING IN FAVOR OF FRANCIS JOHN MAURICE RANASINGHE MODESTA MALA MANGALIKA-RANASINGHE, JT TENS

Memorial Notes:
ASSIGNED TO NORWEST BANK OF ST. PAUL (LOT 16, BLK 2)

79011	QUIT CLAIM DEED	03/30/1987 09:00 AM	12/18/1986	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF NORWEST BANK ST. PAUL-TO-WHITEBIRCH, INC.

Memorial Notes:
(LOTS 37 & 50, BLK 1)

82281	CONTRACT FOR SALE	09/28/1987 09:00 AM	05/09/1987	\$13,500.00	Gary Griffin
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RUNNING IN FAVOR OF DONALD M. PEARSON CAROLINE PEARSON, H/W J/T

Memorial Notes:
ASSIGNED TO NORWEST BANK OF ST. PAUL (LOT 51, BLK 1)

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
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85108	NAME CHANGE	04/25/1988 09:00 AM	04/20/1988	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF THE PUBLIC

Memorial Notes:
THAT NORWEST BANK ST. PAUL, N.A. HAS BEEN CHANGED TO NORWEST BANK MINNESOTA. (ET AL)

88621	ASSIGN OF CONTRACT FOR SALE	01/13/1989 09:00 AM	11/23/1988	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF NORWEST BANK MINNESOTA-TO-WHITEBIRCH, INC.

Memorial Notes:
82281 (LOT 51, BLK 1)

91842	CONTRACT FOR SALE	11/15/1989 09:00 AM	01/24/1989	\$12,500.00	Gary Griffin
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RUNNING IN FAVOR OF JEFFREY T. OLIVER
CLAUDIE A. OLIVER, J/T

Memorial Notes:
(LOT 23, BLK 1)

105555	NAME CHANGE	02/12/1993 11:15 AM	01/18/1990	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF PUBLIC

Memorial Notes:
NORWEST LEASING, INC.'S NAME HAS CHANGED TO NORWEST EQUIPMENT FINANCE, INC. (ET AL)

115827	NAME CHANGE	04/18/1995 09:00 AM	01/20/1995	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF FINOVA CAPITAL CORPORATION

Memorial Notes:
GREYHOUND FINANCIAL CORPORATION HAS CHANGED TO FINOVA CAPITAL CORPORATION EFFECTIVE 2/1/1995. (ET AL)

118458	AUDITOR'S CERTIFICATE	11/06/1995 09:00 AM	10/27/1995	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF STATE OF MINNESOTA

Memorial Notes:
FOR 1988 (ET AL)
(LOT 51, BLK 1)

127755	AUDITOR'S CERTIFICATE	10/28/1997 08:00 AM	10/10/1997	\$0.00	Gary Griffin
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RUNNING IN FAVOR OF MINNESOTA, STATE OF

Memorial Notes:
FOR 1990 (ET AL)
(LOT 16, BLK 2)

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE
HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
133848	STATE DEED	12/09/1998 08:00 AM	11/20/1998	\$0.00	Gary Griffin
RUNNING IN FAVOR OF RANASINGHE, FRANCIS J. MAURICE RANASINGHE, MODESTA M.M., J/T Memorial Notes: (LOT 16, BLK 2)					
138914	CONDITIONAL USE PERMIT	10/20/1999 08:00 AM	09/29/1999	\$0.00	Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. Memorial Notes: APPROVED WITH CONDITIONS (OUTLOT B)					
144430	NAME CHANGE	10/31/2000 08:00 AM	07/10/2000	\$0.00	Gary Griffin
RUNNING IN FAVOR OF PUBLIC Memorial Notes: NORWEST BANK MINNESOTA NORTH, SOUTH & NORWEST BANK MINNESOTA HAS CHANGED NAME TO WELLS FARGO BANK MINNESOTA EFFECTIVE 7/8/2000. (ET AL)					
197258	CONVEYANCE OF FORFEITED L	08/14/2008 11:00 AM	08/01/2008	\$0.00	Gary Griffin
RUNNING IN FAVOR OF BREEZY POINT, CITY OF Memorial Notes: (LOT 51, BLK. 1) (ET AL)					
122787	WARRANTY DEED	10/03/1996 08:00 AM	10/02/1996	\$0.00	Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. - TO - COTTAGE HOMESTEADS OF BREEZY POINT, INC. Memorial Notes: THAT PART OF SHAWNEE PASS & OUTLOT A, WHITEBIRCH 7, AS MORE FULLY DESCRIBED IN DOCUMENT #122787. ALSO TOGETHER WITH A 33' WIDE INGRESS, EGRESS AND UTILITY EASEMENT OVER, UNDER AND ACROSS PART OF VACATED SHAWNEE PASS & A 30' WIDE INGRESS, EGRESS & UTILITY EASEMENT OVER, UNDER AND ACROSS PART OF OUTLOT A, WHITEBIRCH 7, BOTH AS MORE FULLY DESCRIBED IN DOCUMENT #12287. (ET AL)					
254503	MORTGAGE	02/14/2020 04:10 PM	02/12/2020	\$1,542,750.00	Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. -TO- BREMER BANK, NATIONAL ASSOCIATION Memorial Notes: (ET AL) (OUTLOTS B & C)					
254504	ASSGMT. LEASES & RENTS	02/14/2020 04:10 PM	02/12/2020		Gary Griffin
RUNNING IN FAVOR OF WHITEBIRCH, INC. -TO- BREMER BANK, NATIONAL ASSOCIATION Memorial Notes: (ET AL) (OUTLOTS B & C)					

MEMORIAL

OF ESTATES, EASEMENTS OR CHARGES ON THE LAND DESCRIBED IN THE CERTIFICATE OF TITLE HERETO ATTACHED.

DOCUMENT NUMBER	KIND OF DOCUMENT	REGISTRATION DATE TIME	DATE OF DOCUMENT	AMOUNT	SIGNATURE OF REGISTRAR
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266957	MODIFICATION OF MORTGAGE	02/28/2022 04:37 PM	02/14/2022		Gary Griffin
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RUNNING IN FAVOR OF WHITEBIRCH, INC.-TO-BREMER BANK, NATIONAL ASSOCIATON

Memorial Notes:
#254503 (ET AL)
(OUTLOTS B & C)
EXTEND MATURITY DATE TO 2/12/2024

275953	SATISFACTION OF MORTGAGE	02/08/2024 08:55 AM	02/01/2024		Gary Griffin
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RUNNING IN FAVOR OF BREMER BANK NATIONAL ASSOCIATION - TO - WHITEBIRCH, INC.

Memorial Notes:
#254503 & #254504
(ET AL)

PUBLIC COPY

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed seal of my office this the 10 day of February, 2023
Gary Griffin, Register,
in and for the County of Crow Wing and State of MN.

PETITION TO VACATE 20 FOOT UTILITY AND DRAINAGE EASEMENT
WHITEBIRCH SEVEN

Whereas Whitebirch, Inc. owners of OUTLOT C and OUTLOT D, WHITEBIRCH SEVEN, according to the record plat, Crow Wing County, Minnesota do hereby request the City of Breezy Point in accordance with City ordinance 70.024, to vacate the 20-foot-wide utility and drainage easement as shown on said OUTLOTS C and D and a portion of Shawnee Pass (vacated road) said plat. The request to vacate would commence on the west right of way line of Osceola Circle said plat and extend westerly and northerly through said OUTLOT C and OUTLOT D ending at its terminus point within the Shawnee Pass right of way. (see vacation exhibit attached).

It has been determined that said 20-foot-wide utility and drainage easement serves no purpose or public benefit.

Respectfully submitted this 15th day of August, 2025.



David Spizzo, President, Whitebirch, Inc.

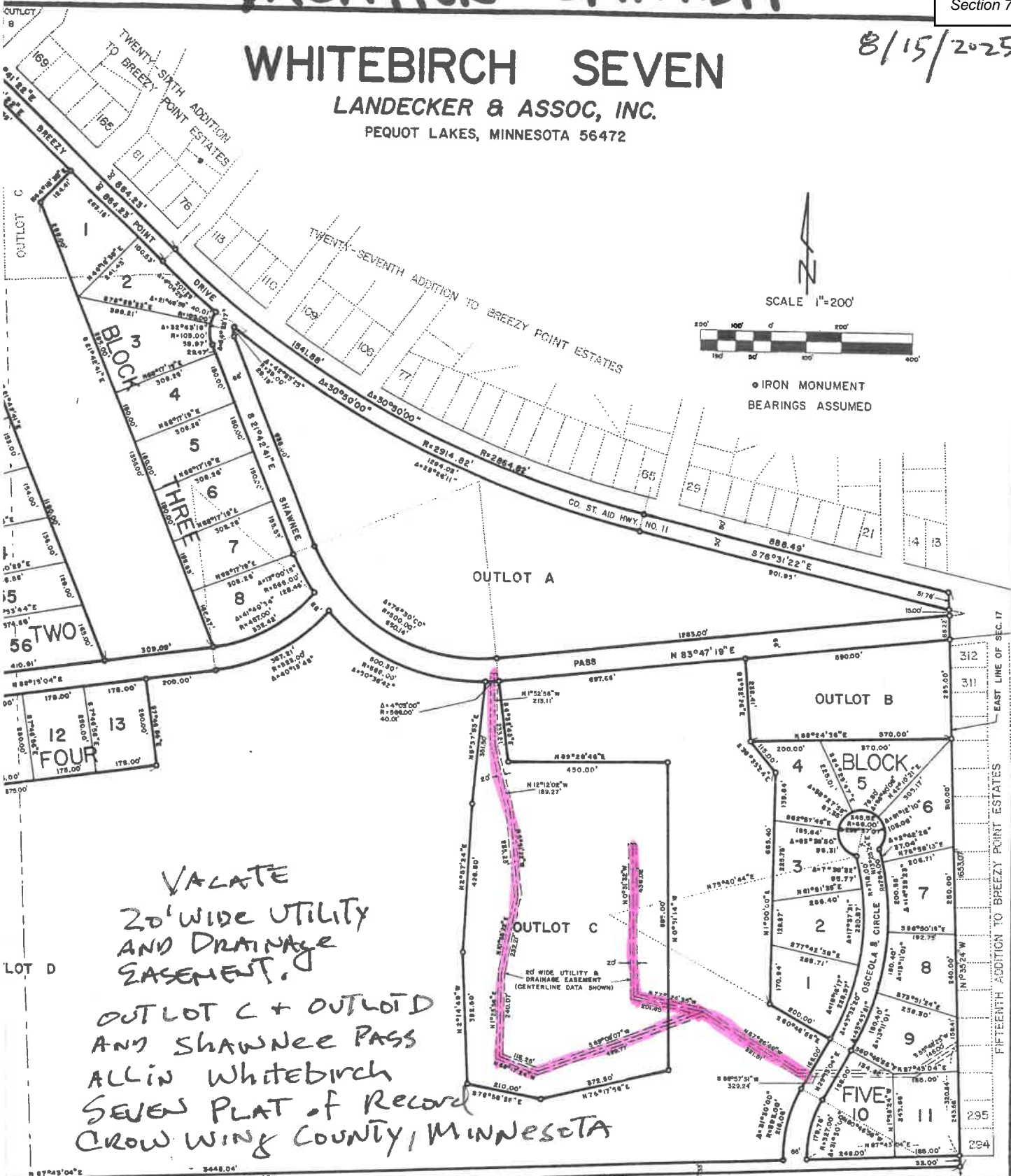
VACATION EXHIBIT

Section 7, Item A.

8/15/2025

WHITEBIRCH SEVEN

LANDECKER & ASSOC., INC.
PEQUOT LAKES, MINNESOTA 56472



VACATE
20' WIDE UTILITY
AND DRAINAGE
EASEMENT.

OUTLOT C + OUTLOT D
AND SHAWNEE PASS
ALL IN WHITEBIRCH
SEVEN PLAT OF RECORD
CROW WING COUNTY, MINNESOTA

STATE OF MINNESOTA)
County of Crow Wing) SS

I hereby certify that the within instrument was filed in this office for record on the 28th day of March, A.D. 1979, at 9 o'clock A.M., and was duly recorded in Book ON FILE.

28th March 1979
Sharon L. Peterson
County Recorder

OFFICE OF COUNTY RECORDER
CROW WING COUNTY, MINNESOTA

I HEREBY CERTIFY that I have carefully compared the within instrument which was filed in this office on the 28th day of March, A.D. 1979, at 9 o'clock A.M., and find it to be a true and correct copy thereof.

Sharon L. Peterson
County Recorder

White Birch Seven
March 28, 1979

SE COR. OF SEC. 17

Sharon L. Peterson

WHEREAS, a majority of the owners of property abutting on (that part of) Shawnee Pass as platted in Whitebirch Seven, has requested the city council in a petition dated May 2, 1983 to vacate such street according to law.

And WHEREAS, a public hearing was held on June 6, 1983 before the city council in the city hall on such petition after due published and posted notice has been given by the clerk on May 19 and May 26, 1983 and all persons interested were given an opportunity to be heard,

And WHEREAS, it appears that it will be for the best interest of the city to approve such petition,

NOW, THEREFORE, BE IT RESOLVED, that such petition is hereby granted and the street (part of the street) described as follows is hereby vacated: That part of Shawnee Pass as platted in Whitebirch 7, a plat on file and of record with the Registrar of Titles, in and for the County of Crow Wing lying between the extension Northeasterly of the curved Southeasterly right of way line of Chinook Trail as platted in said plat of Whitebirch 7 and the East line of Section 17, T136N, R28W.

Adopted by the council this 6th day of June, 1983.

Approved:

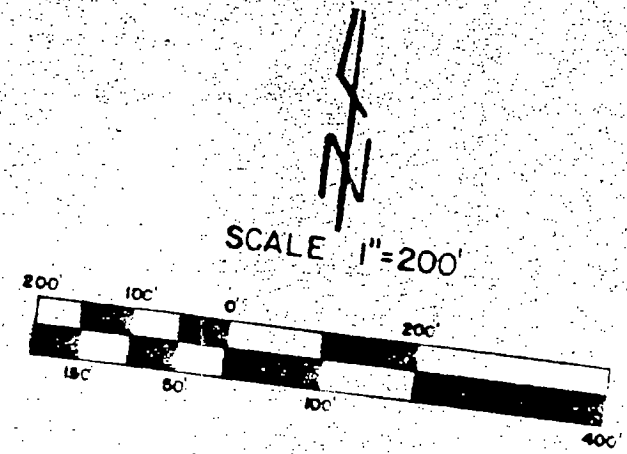
Shirley D. Anderson
Mayor

Attest:

Etta A. Steffen
Clerk

Etta A. Steffen

TWENTY-SEVENTH ADDITION TO BREEZY POINT ESTATES



IRON MONUMENT
BEARINGS ASSUMED

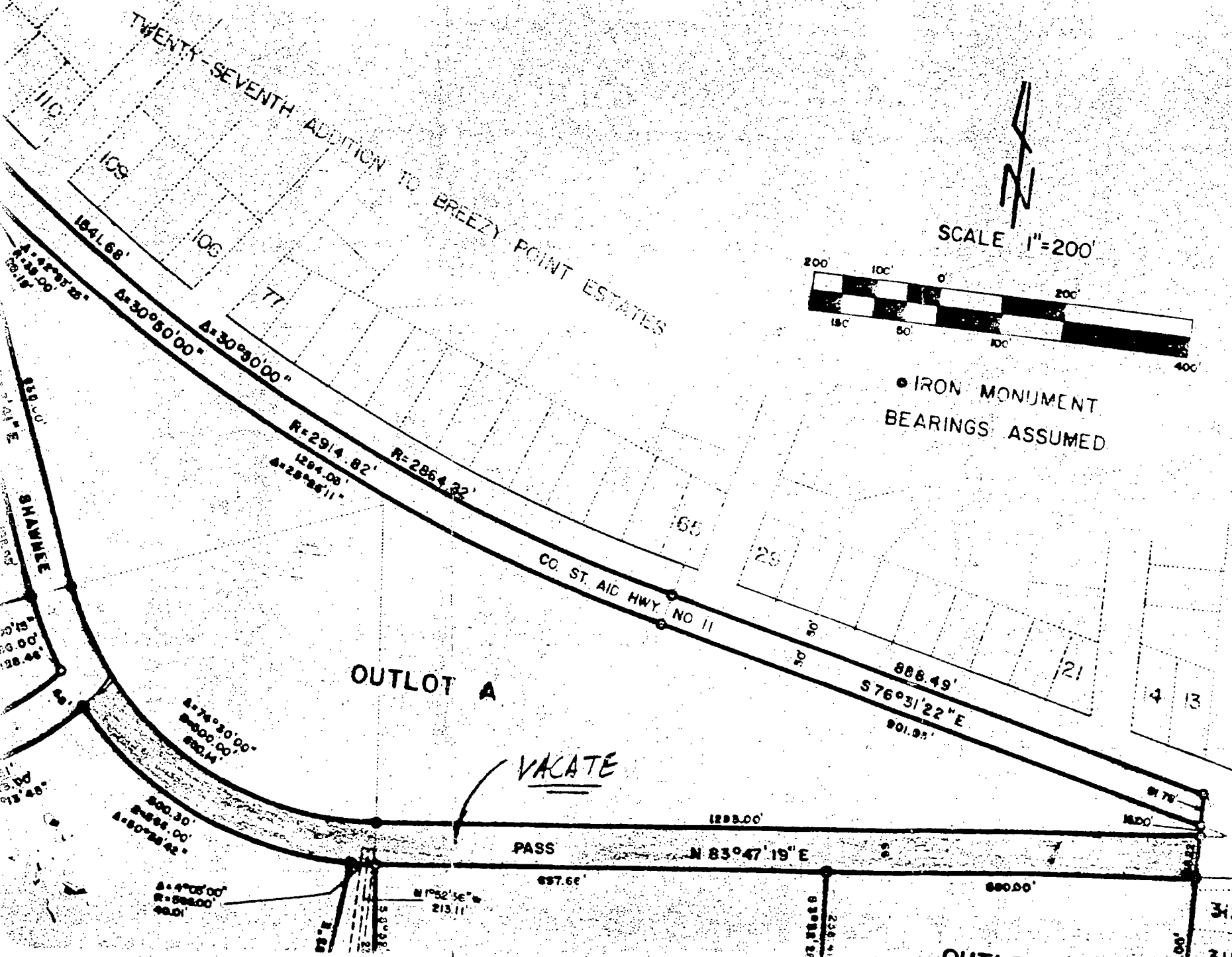
SHANLEE

CO. ST. AID HWY. NO 11

OUTLOT A

VACATE

PASS N 83°47'19" E



LINE OF SEC. 17

59923

aty
wk

Section 7, Item A.

138-202

Certificate Number 41302
 Vol. 138 Page 202
 STATE OF MINNESOTA)
 COUNTY of CROW WING) ss.
 OFFICE OF THE REGISTRAR OF TITLES
 This is to certify that the within instrument was
 filed in this office at Brainerd on the 15th
 day of June A.D., 1983
 at 9 o'clock a M.
Sharon L. Peterson
 REGISTRAR OF TITLES
 By [Signature]
 DEPUTY

duplts. A B C + D

40923-137-123

City of Breezy Point
Notice of Public Hearing
Tuesday September 16, 2025, 6:30 p.m.
Breezy Point Public Safety Building

Section 8, Item A.

To Whom It May Concern:

The Public Hearing originally scheduled for September 9 has been rescheduled to **September 16.**

Notice is hereby given the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on September 16, 2025 at 6:30 p.m. or shortly thereafter at Breezy Point Public Safety Building, 8361 County Road 11, to consider the following;

Variance Application V-25-002 Jeffrey and Shivaun Kuffel 10672 Hilltop Drive. Lot 18 Valley of Contentment. Parcel 10020643. Zone R-2 Medium Residential. Requesting a Variance from Section 153.032 and 153.045 of the Breezy Point City Code Dwelling Closer than 75 feet from Ordinary High Water Mark (OHW) Lake Ossawinnamakee. (59.2 feet proposed) and 13.2 feet from side yard property line.

Rezoning Application Whitebirch, Inc. (7891 County Road 11) Portion of Outlot D, and Outlot C, Whitebirch 7. Parcels 10170500, 10170778 (holes 7-8-9 Whitebirch Golf Course) Request rezoning R-4 Multi-Family Residential to RC Resort Commercial and RC Resort Commercial to R-4 Multifamily Residential.

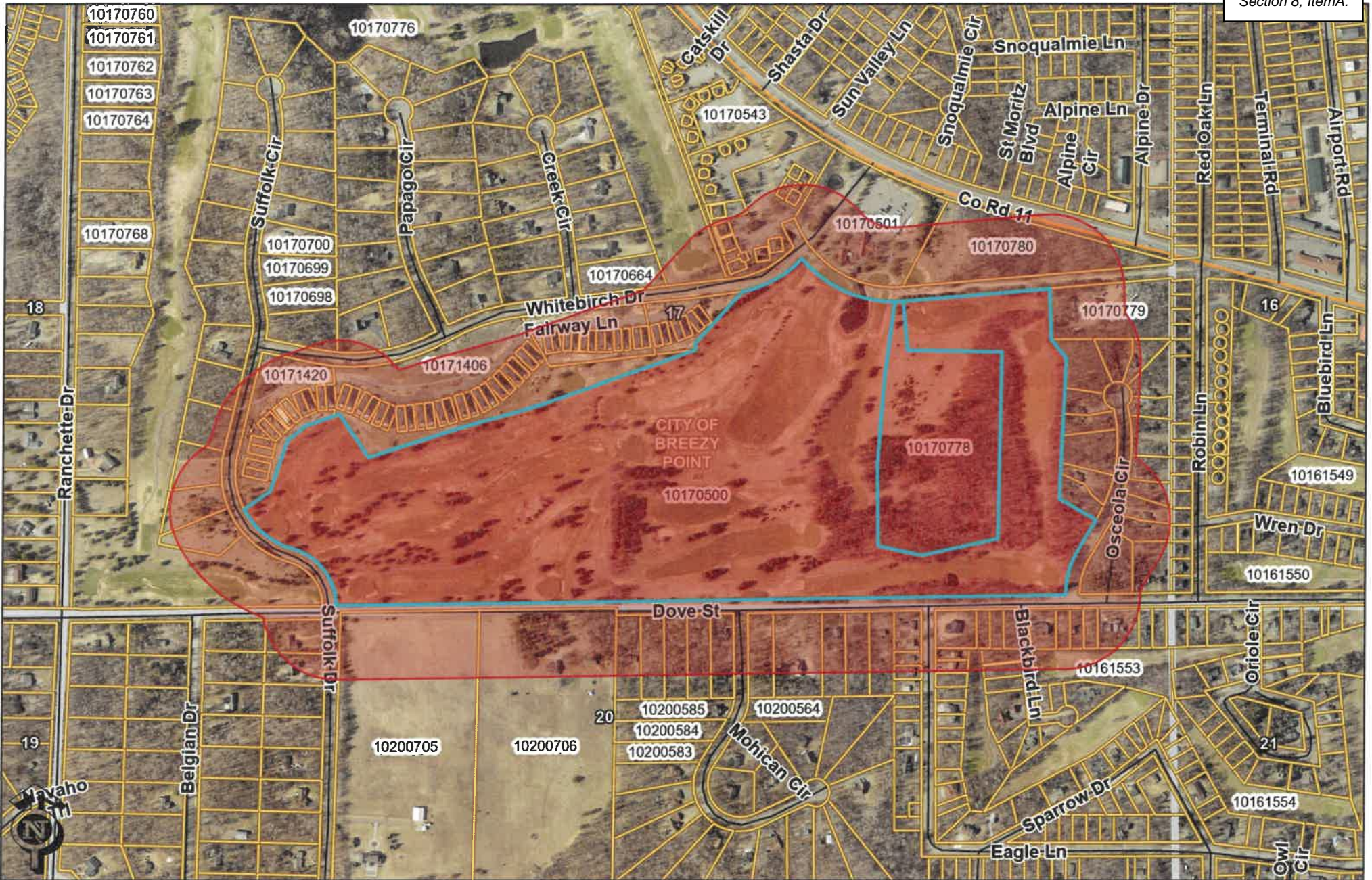
Petition to Vacate utility and drainage easements within Outlot C Whitebirch 7TH Addition and Utility and Drainage Easement across Outlot D Whitebirch 7TH Addition between Osceola Circle and Outlot C Whitebirch 7TH Addition.

Subdivision Application Whitebirch Inc 7891 County Road 11. Preliminary and Final Plat of Whitebirch Fairway Addition R-4 and RC Zoning.

A notice relative to above listed requests 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 any property owner has been missed, or our records are not correct.

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

Jerry Bohnsack
Planning & Zoning
City of Breezy Point
218-569-1003
jbohnsack@cityofbreezypointmn.us



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.

PETITION TO VACATE 20 FOOT UTILITY AND DRAINAGE EASEMENT
WHITEBIRCH SEVEN

Whereas Whitebirch, Inc. owners of OUTLOT C and OUTLOT D, WHITEBIRCH SEVEN, according to the record plat, Crow Wing County, Minnesota do hereby request the City of Breezy Point in accordance with City ordinance 70.024, to vacate the 20-foot-wide utility and drainage easement as shown on said OUTLOTS C and D and a portion of Shawnee Pass (vacated road) said plat. The request to vacate would commence on the west right of way line of Osceola Circle said plat and extend westerly and northerly through said OUTLOT C and OUTLOT D ending at its terminus point within the Shawnee Pass right of right of way. (see vacation exhibit attached).

It has been determined that said 20-foot-wide utility and drainage easement serves no purpose or public benefit.

Respectfully submitted this 15th day of August, 2025.


David Spizzo, President, Whitebirch, Inc.

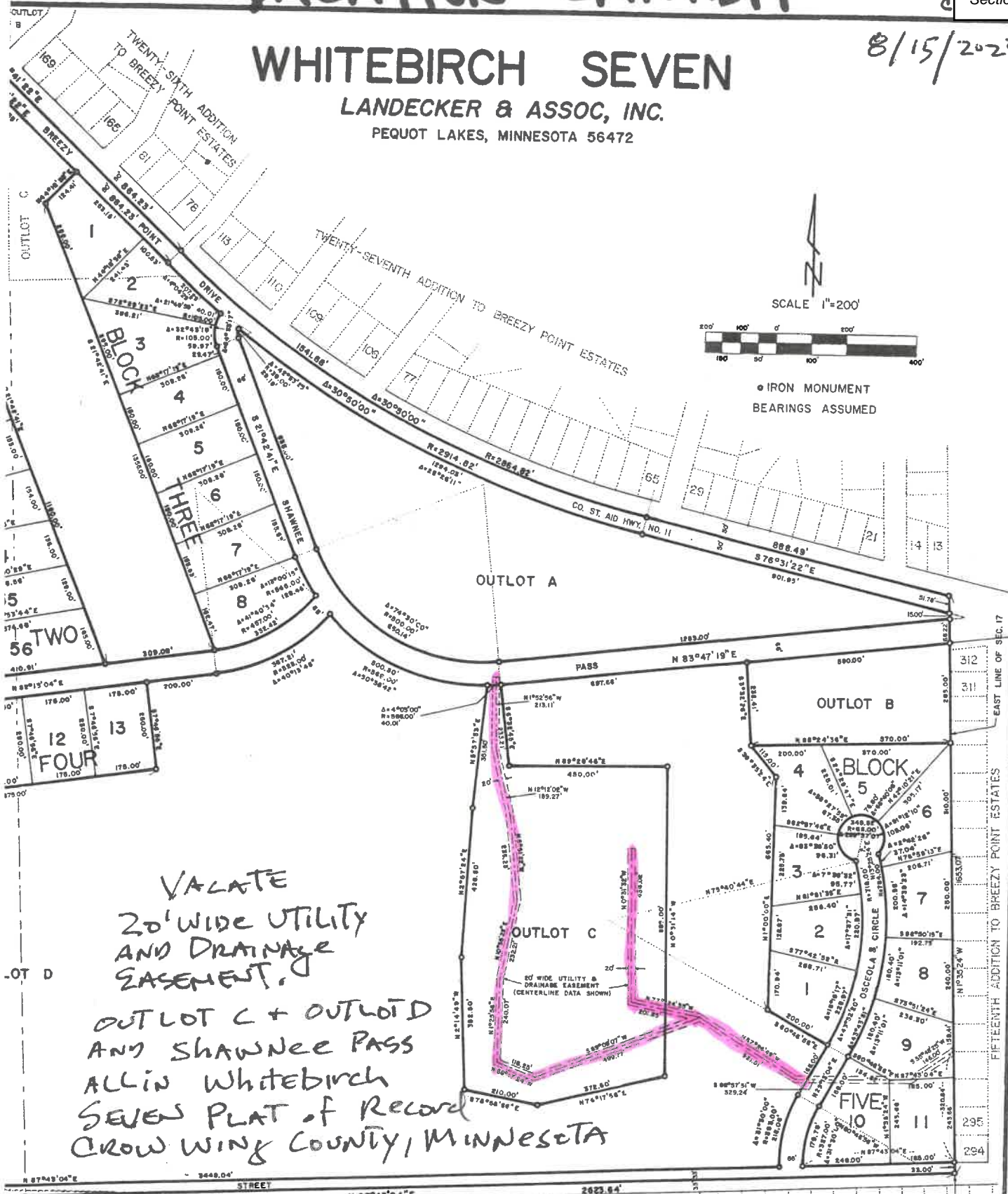
VACATION EXHIBIT

Section 8, Item A.

8/15/2025

WHITEBIRCH SEVEN

LANDECKER & ASSOC, INC.
PEQUOT LAKES, MINNESOTA 56472



VACATE
20' WIDE UTILITY
AND DRAINAGE
EASEMENT.

OUTLOT C + OUTLOT D
AND SHAWNEE PASS
ALL IN White Birch
SEVEN PLAT of Record
CROW WING COUNTY, MINNESOTA

LA COR. OF C. 17, T 156 N, R 28 W

STATE OF MINNESOTA)
County of Crow Wing) SS

I hereby certify that the within instrument was filed in this office for record on the 28th day of March, A.D. 1979, at 9 o'clock A.M., and is duly recorded in Book 02, File 2874.

Sharon L. Peterson

OFFICE OF COUNTY RECORDER
CROW WING COUNTY, MINNESOTA

I HEREBY CERTIFY that I have carefully compared the within instrument with the original and find that it is a true and correct copy thereof.

Sharon L. Peterson
County Recorder

White Birch Seven

March 28th 1979

Sharon L. Peterson

City of Breezy Point
Notice of Public Hearing
Tuesday September 16, 2025, 6:30 p.m.
Breezy Point Public Safety Building

Section 9, Item A.

To Whom It May Concern:

The Public Hearing originally scheduled for September 9 has been rescheduled to **September 16.**

Notice is hereby given the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on September 16, 2025 at 6:30 p.m. or shortly thereafter at Breezy Point Public Safety Building, 8361 County Road 11, to consider the following;

Variance Application V-25-002 Jeffrey and Shivaun Kuffel 10672 Hilltop Drive. Lot 18 Valley of Contentment. Parcel 10020643. Zone R-2 Medium Residential. Requesting a Variance from Section 153.032 and 153.045 of the Breezy Point City Code Dwelling Closer than 75 feet from Ordinary High Water Mark (OHW) Lake Ossawinnamakee. (59.2 feet proposed) and 13.2 feet from side yard property line.

Rezoning Application Whitebirch, Inc. (7891 County Road 11) Portion of Outlot D, and Outlot C, Whitebirch 7. Parcels 10170500, 10170778 (holes 7-8-9 Whitebirch Golf Course) Request rezoning R-4 Multi-Family Residential to RC Resort Commercial and RC Resort Commercial to R-4 Multifamily Residential.

Petition to Vacate utility and drainage easements within Outlot C Whitebirch 7TH Addition and Utility and Drainage Easement across Outlot D Whitebirch 7TH Addition between Osceola Circle and Outlot C Whitebirch 7TH Addition.

Subdivision Application Whitebirch Inc 7891 County Road 11. Preliminary and Final Plat of Whitebirch Fairway Addition R-4 and RC Zoning.

A notice relative to above listed requests 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 any property owner has been missed, or our records are not correct.

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

Jerry Bohnsack
Planning & Zoning
City of Breezy Point
218-569-1003
jbohnsack@cityofbreezypointmn.us

Received by City: 8/15/20
Application Number: SD-25-001
Non-refundable Fee Paid: 420.00
Receipt #: 24978



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

Subdivision Application

Name of Applicant White Birch, Inc.
Address 9252 Breezy Point Dr Email: dlandecker@breezypointresort.com
City, State, Zip Breezy Point, MN 56472
Phone 218-831-9283 Alternate Phone 218-820-4038
DAVID SPICCO DAVID LANDECKER

Physical Address / Location of Property Property lies southeasterly of Antler Club house @ 7891 Co Rd 11, Breezy Point East of Fairway No. 2 North of fairway No. 7 and west of Block 9 White Birch Seven.

Legal Description of Property OUT LOT C AND PART OF OUTLOT D, White Birch SEVEN, According to the record PLAT thereof, Crow Wing County Minnesota

Parcel ID Number 1017078 + 10170500 Zoning District R-4 = OUTLOT C
RC = OUTLOT D

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:
 Preliminary Plat
 Final Plat
 Metes and Bounds Subdivision

Briefly describe your proposal: Reconfiguration of current OUTLOT C AND PART OF OUTLOT D White Birch Seven to establish two OUTLOTS to allow reconfiguration and construction of Golf Holes 8 + 9. Includes vacation of 20 foot Drainage and utility easement.

Signature of Owner, authorizing application _____
(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) David Landecker
(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.

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.

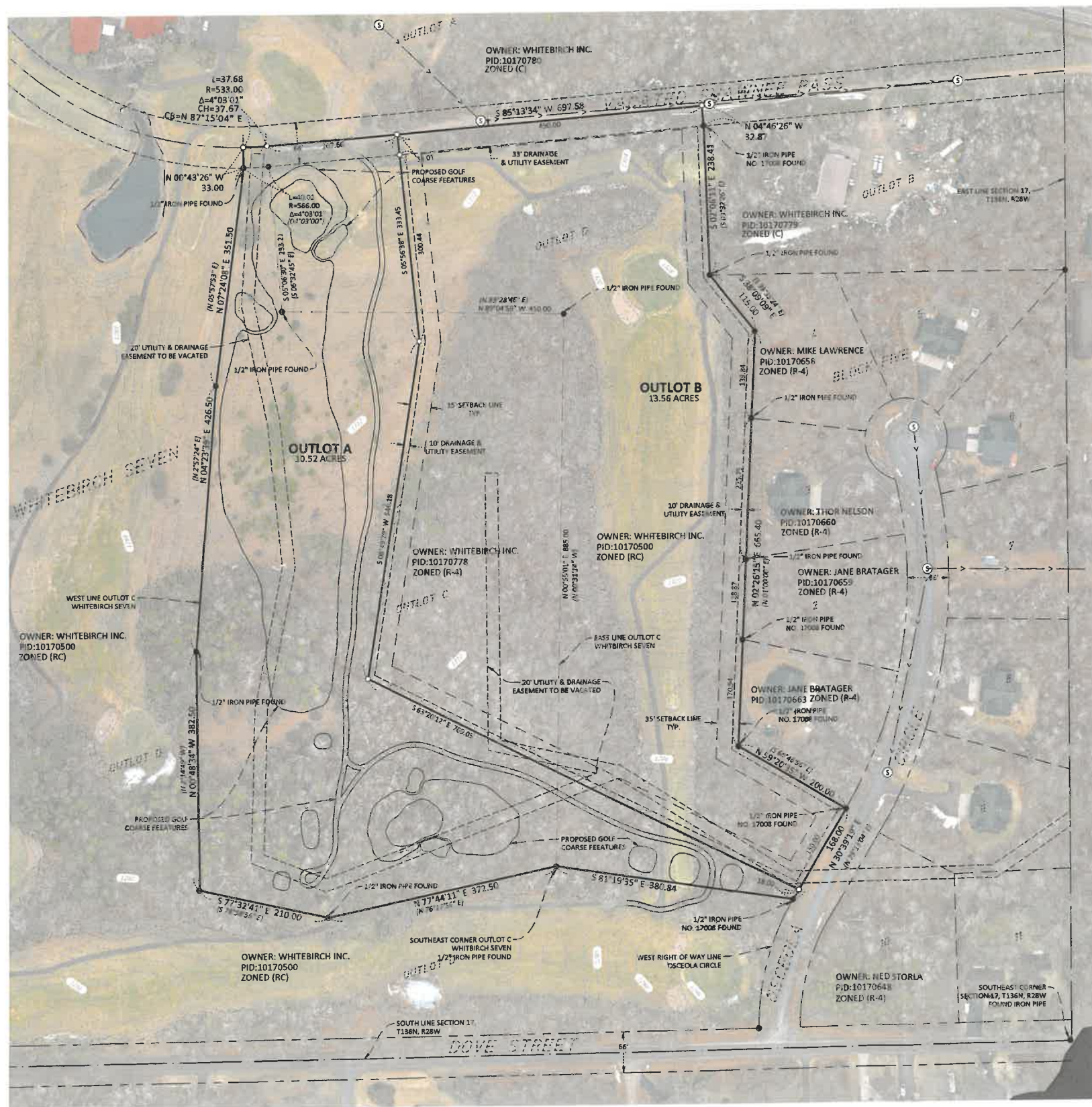
- _____ 1. This application must be completed, including responses to all parts of this application.
 - _____ 2. The required fee must be paid. See fee schedule for details.
 - _____ 3. Preliminary Plat applications shall be completed at least to the minimum standards of the Ordinance, as detailed in 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.

WHITEBIRCH FAIRWAY



LEGAL DESCRIPTION

Outlot C and part of Outlot D, WHITEBIRCH SEVEN, according to the record plat thereof, Crow Wing County, Minnesota
 24.08 Acres ±

OWNER

White Birch Inc.
 9252 Breezy Point Dr,
 Breezy Point, MN 56472
 (218) 562-7970

SURVEYOR

Bolton and Menk, Inc.
 7656 Design Road,
 Suite 200,
 Baxter, MN 56425
 (218) 280-0782

CURRENT ZONING:

Current zoning classification for subject property is:
 OUTLOT C = R-4 (Residential 4)
 OUTLOT D = RC (Resort Commercial)

PROPOSED ZONING:

Proposed zoning classification for subject property is:
 OUTLOT A = RC (Resort Commercial)
 OUTLOT B = R-4 (Residential 4)

TOTAL AREA

OUTLOT A = 458,549± SQ. FT. 10.52± ACRES
 OUTLOT B = 590,555± SQ. FT. 13.56± ACRES

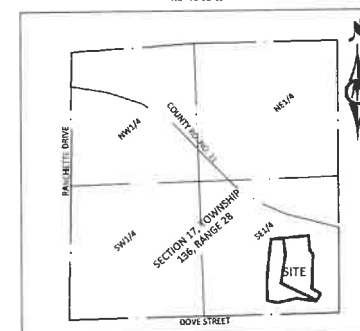
SURVEYORS NOTES

1. Crow Wing County Coordinate system NAD83(2011adj), NAVD 88 vertical datum
2. For the purpose of this plat the East line of the Outlot C, WHITEBIRCH SEVEN, is assumed to bear North 00 degrees 51 minutes 01 seconds East.
3. Field survey was completed on August 8th, 2025.
4. Distances are in feet.
5. Contours are at 2 foot intervals
6. Property lies within FEMA flood planes X per FEMA firm panel 27035C0300C, with an effective date of August 15th, 2017.
7. No wetlands lie within subject plat.



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EASTERLY LINE OF OUTLOT C, WHITEBIRCH SEVEN, TO HAVE AN ASSUMED BEARING OF N 00°51'01" E.

VICINITY MAP



LEGEND

- IRON PIPE MONUMENT SET
- MONUMENT FOUND
- ⊙ MANHOLE-SANITARY SEWER
- SANITARY SEWER
- PROPOSED PLAT BOUNDARY LINE
- ADJACENT
- EASEMENT
- RIGHT OF WAY
- QUARTER LINE
- SECTION LINE
- INTERMEDIATE CONTOUR
- INDEX CONTOUR

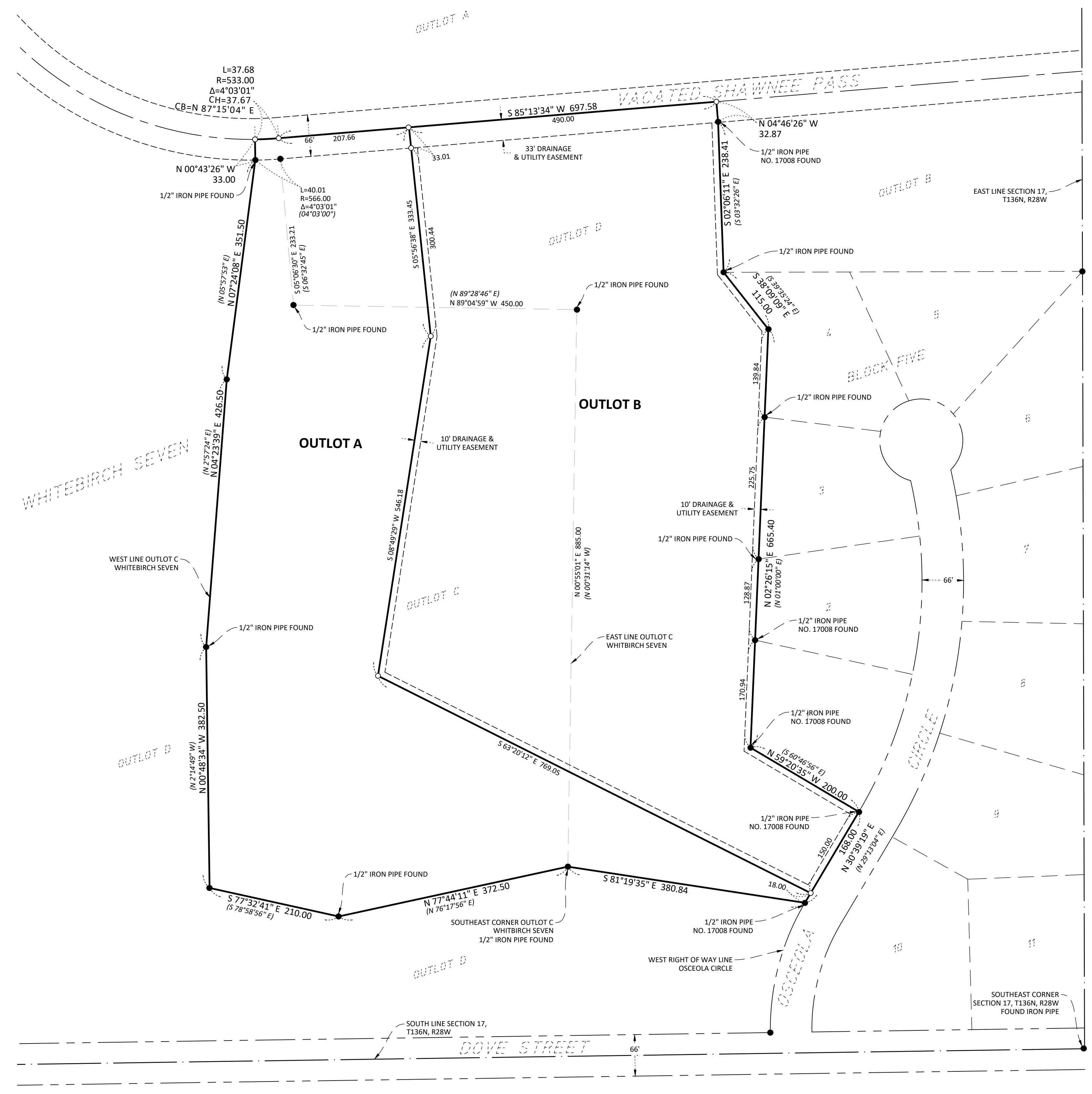
SURVEYOR'S CERTIFICATION

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.

Matthew M. Bomstad
 Matthew M. Bomstad
 License Number 57991

8/18/2025
 Date

WHITEBIRCH FAIRWAY



KNOW ALL PERSONS BY THESE PRESENTS: That Whitebirch, Inc., a Minnesota Corporation, fee owners and proprietors, of the following described property situated in the County of Crow Wing, State of Minnesota, to-wit:

Outlot C, WHITEBIRCH SEVEN, according to the plat thereof on file and of record in the office of the Registrar of Titles in and for Crow Wing County, Minnesota.

AND

That part of Outlot D, WHITEBIRCH SEVEN, according to the recorded plat thereof, Crow Wing County, Minnesota, lying easterly of Outlot C said plat, and lying northerly of the following described line: Beginning at the southeast corner of said Outlot C, and assuming the east line of said Outlot C, bears North 00 degrees 55 minutes 01 seconds East, thence South 81 degrees 19 minutes 35 seconds East, a distance of 380.84 feet; to a point on the west right of way line of Osceola Circle, said plat and there terminating

Subject to easements, restrictions, and reservations of record.

Have caused the same to be surveyed and platted as WHITEBIRCH FAIRWAY and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said Whitebirch, Inc., a Minnesota Corporation, has caused these presents to be signed by its proper officer on this _____ day of _____, 20____.

FEE OWNER:
WHITEBIRCH, INC.

David Spizzo, President

State of Minnesota
County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by David Spizzo, President of Whitebirch, Inc., a Minnesota Corporation, on behalf of the corporation.

Notary Public _____ COUNTY, STATE OF _____
(Notary Signature)

My Commission Expires _____
(Notary Printed Name)

SURVEYOR'S CERTIFICATION

I, Matthew M. Bomstad hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3 as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Matthew M. Bomstad, Licensed Land Surveyor
Minnesota License Number 57991

State of Minnesota, County of _____

This foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Matthew M. Bomstad, Licensed Land Surveyor, Minnesota License No. 57991.

Notary Public _____ County, STATE OF MINNESOTA
(Notary Signature)

My Commission Expires _____
(Notary Printed Name)

DEPARTMENT OF AUDITOR-TREASURER

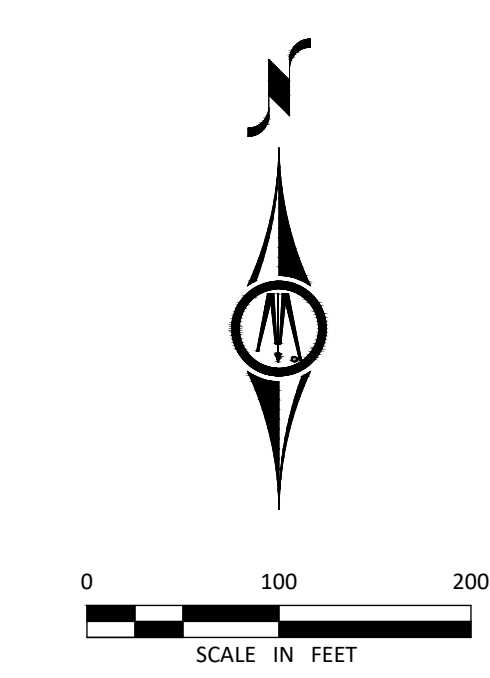
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable for the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

Gary Griffin, Land Services Director for Crow Wing County, Minnesota

CITY COUNCIL, CITY OF BREEZY POINT, MINNESOTA

This plat of WHITEBIRCH FAIRWAY was approved and accepted by the City Council of the City of Breezy Point, Minnesota, at a regular meeting held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

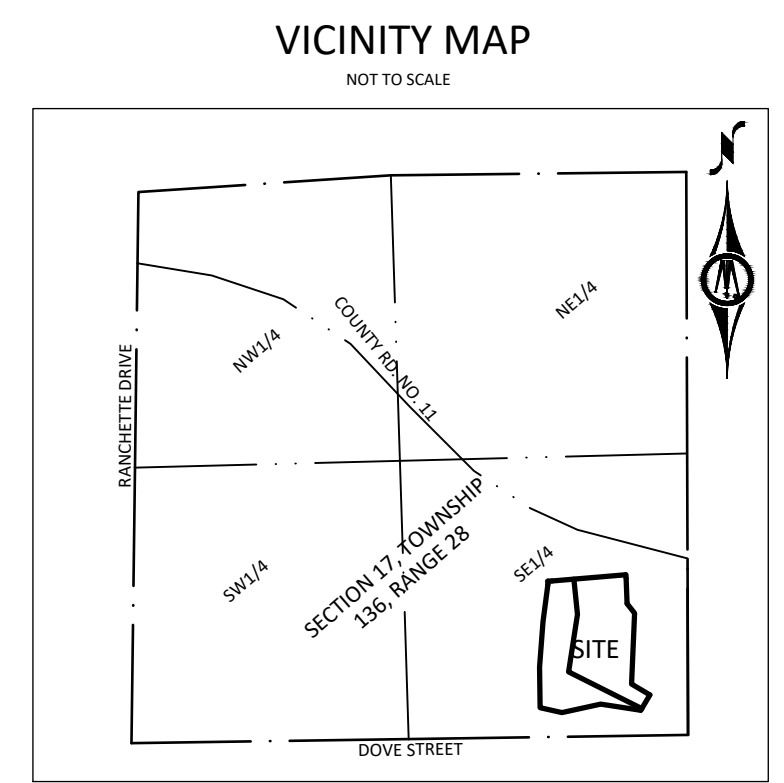
Todd Roggenkamp, Mayor
Allie Polsfuss, City Administrator



LEGEND

- DENOTES 1/2 INCH X 18 INCH IRON PIPE SET AND MARKED NO. 57991
- DENOTES MONUMENT FOUND
- (xxx) UNDERLYING PLAT MEASUREMENTS

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EASTERLY LINE OF OUTLOT C, WHITEBIRCH SEVEN, TO HAVE AN ASSUMED BEARING OF N 00°55'01" E.



Request to wave portions of final plat requirements requirements ordinance 152.31, and park dedication requirements ordinance 152.60.

The plat of WHITEBIRCH FAIRWAY is being platted into two OUTLOTS to accommodate a reconfiguration of the Whitebirch golf course fairway and holes numbered 8 and 9. This plat will also provide the vehicle to rezone the OUTLOTS for each of their respective uses. This will allow the construction of the planned fairway and hole changes.

OUTLOT A will be designated for Golf course use and zoned resort commercial (RC). Once platted this OUTLOT will be consolidated with the remaining OUTLOT D said plat.

OUTLOT B will be an undeveloped property and is the replacement of OUTLOT C, plat of WHITEBIRCH SEVEN and will be zoned multifamily residential (R-4). It is further understood that upon future development of said OUTLOT B the subdivider shall contribute a park dedication acceptable to the City.

At this time the owner requests the park dedication fee be waved for the plat of WHITEBIRCH FAIRWAY.

No planned public improvements are being considered for this plat, therefore the owner would request the City of Breezy Point to wave the need for any financial security or a developer's agreement.

Respectfully submitted this 15th day of August, 2025.



David Spizzo, President, Whitebirch, Inc.



2. LAND USE

OVERVIEW

Land use guides public and private actions in the pattern of land and development. Land use is the central element of the comprehensive plan, and many people consider this chapter as the plan itself. Although there are other plan chapters, they are each related to the land use chapter given their shared geographic component. Consequently, there is some overlap, and other elements provide more detail on certain subjects mentioned throughout this chapter. The key provisions of other chapters in the plan that are critical to the physical development are integrated into the land use strategies. This chapter seeks the necessary means to help the city become environmentally, fiscally, and socially sustainable.

Land use translates the community vision for growth and conservation into a recommended physical pattern of neighborhood and commercial areas, road networks, parks, and trail corridors. Land use goals seek to influence the location, types, density, and timing of future growth through private real estate development, public investment in infrastructure and community facilities, and conservation of natural areas.

KEY FINDINGS

This chapter will be used by the city to make decisions about private development proposals and the location, size, and timing of public improvements. This chapter may also be the basis for preparing sub-area plans to foster future development in specified areas throughout the city. Although this plan is not a legal document, it does provide the rationale to support the city's zoning ordinance and subdivision regulations.

EXISTING LAND USE

Land use in the city consists primarily of single-family homes located in wooded and hilly land west and north of Pelican Lake in a cluster, subdivision-style development pattern. Commercial development is scattered along County Highway 11, the main entrance road to the city, which links Breezy Point to MN Highway 371 and Pequot Lakes.

Residential development is most intensive along the front of Pelican and Ossawinnamakee, where nearly every lot is built on. Unlike some lakeshore communities there are many houses located on inland lots up to a half



mile or more from a lake. Many of these homes are set in the wooded, hilly terrain with on-site wastewater treatment systems. Their lot sizes range from 10,000 square feet or less up to between one and five acres. High-density residential exists in the central core of the city on small lots with the majority of the parcels being served by minimum-maintenance or gravel roads. Medium-density parcels exist north of Ski Chalet Drive with small pockets along Buschmann Road. Low-density residential parcels exist in the center of the city and range in sizes that accommodate on-site septic systems.

Commercial and industrial development is located along the city's main corridors. Breezy Point resort, the major commercial development, is located on Pelican Lake in Nelson Bay. Other commercial development includes restaurants, convenience goods, professional offices, and professional services. Industrial development is concentrated in the Evergreen and Breezy Point business parks, located north of County Highway 11. The airport along County Highway 11 is a private facility that includes several hangars for the small, private aircrafts that the landing strips accommodate.

BB
THE BIGGEST DRAW TO LIVING IN BREEZY POINT IS THE BEAUTIFUL NATURAL AREA. THE RURAL 'UP NORTH FEEL' WITH ALL OF THE OUTDOOR RECREATION AND SAFE, QUIET NEIGHBORHOODS ARE THE MOST IMPORTANT QUALITIES TO PROTECT AND TREASURE.
-Community Survey Respondent
99



An evaluation of existing land uses was conducted to assess and analyze the true picture of current land uses within the city. The existing land use map identifies land uses currently on each parcel, simply capturing the land for what it is. It does not take into consideration what is allowed or preferred going forward. **The existing land use simply shows what is, and what exists today.** The following is an analysis of the existing land use categories in the City of Breezy Point:

Forested: This category identifies portions of the city that contain large, densely forested tracts or contain very low-housing density.

Vacant residential: This category identifies vacant portions of the city that have been platted for residential purposes.

Single-family: This category identifies those areas in the city that comprise residential land uses, specifically single-family uses that house only one family or one group of people in one building. This land use includes single-family, mobile homes, and private cabins.

Multi-family: This category identifies those areas that comprise a multi-family land use. Multi-family includes residences such as duplexes (either side-by-side or up-and-down), townhouses, apartments, condominiums, and other dwellings that house more than one family in one building. Resort cabins or resorts are not considered

residential and are classified as commercial.

Commercial: The category identifies areas that comprise commercial land uses. This includes restaurants, professional services and offices, convenience goods, resorts (and resort cabins unless), and gas stations.

Industrial: This category captures areas that comprise industrial land uses. This includes manufacturing, storage facilities, mining, warehousing, and distribution.

Public/semi-public: This category includes public/semi-public uses within the city. This includes schools, city property and buildings, religious uses, clinics, and the airport.

Park and Open Space: This category identifies the city and state parks and open spaces.



Recreation: This category identifies recreational parcels within the city and includes uses such as campgrounds and golf courses.


Water: This category captures the acres of water within the city.

LAND USE CLASSIFICATION COMPARISON

EXISTING LAND USE		
Category	Acres	Percent
Residential (Low Density)	2,143	25.7
Residential (High Density)	76	0.9
Commercial	518	6.2
Recreational	148	1.8
Public/Semi-Public	472	5.7
Airport	689	8.3
Undeveloped	4,220	50.6
Right of Way	38	0.5
Utilities	1	0.01
TOTAL ACRES	8,349 acres	100

Source: Breezy Point 2016 Comprehensive Plan

IDENTIFY AREAS THAT CAN BE MULTI-FAMILY SO EFFORTS CAN BE CONCENTRATED IN THOSE AREAS AND DO NOT END UP SCATTERED ALL OVER THE CITY.


-Community Survey Respondent

The 2016 plan update separates residential land uses into three categories:

Lakeshore housing: residential parcels located adjacent to the lake, primarily subject to the Minnesota shoreland regulations.

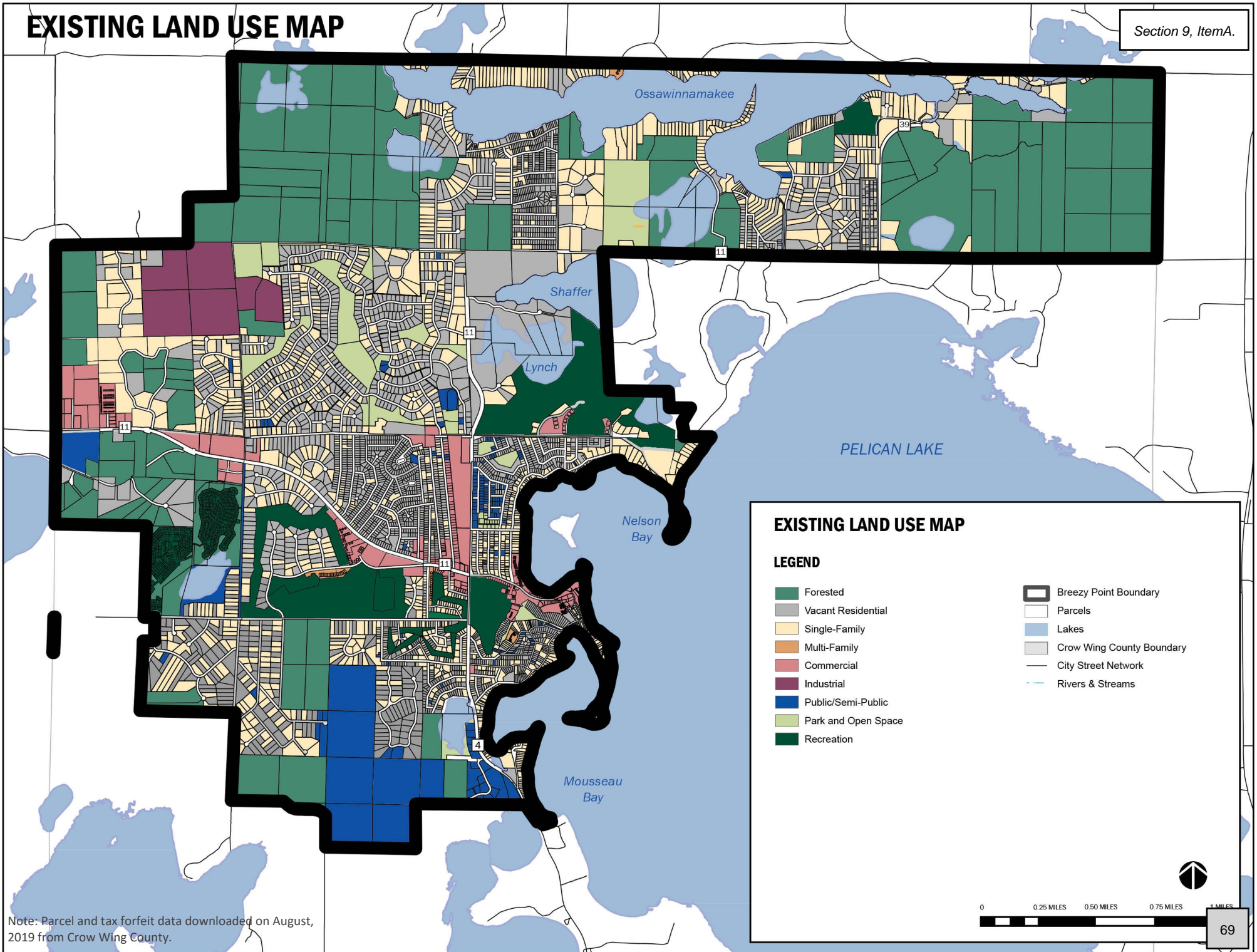
Golf course housing: There are three courses in the city. All of the multi-family (attached) housing in the city is located around the Whitebirch golf course.

Wooded housing: The great majority of the housing in the city falls into this category.

This existing land use analysis classifies parcels based on their use and density, such as single-family dwellings (attached or detached) or multi-family units like apartments and townhomes. There is a difference in how the residential categories were collected from the 2016 plan. Instead of classifying use based on their location next to or immersed within natural resources or near recreational amenities, the analysis focuses on the size of the lot and the type of dwelling, targeting the analysis on density per acres. Due to the large percentage of vacant residential parcels, a category termed “vacant residential” was introduced. This new category helps illustrate the vacant and undeveloped land in the city and identifies the parcels that do not have any structures but is intended for residential uses.

EXISTING LAND USE MAP

Section 9, Item A.



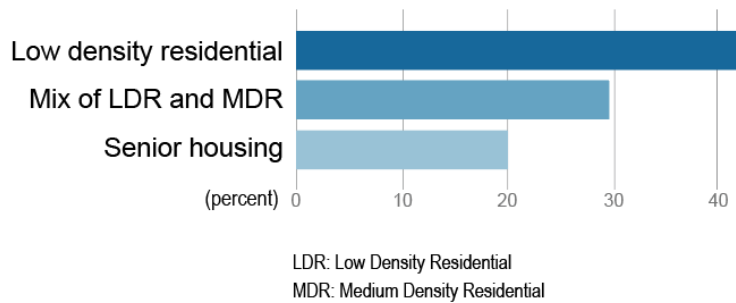
Note: Parcel and tax forfeit data downloaded on August, 2019 from Crow Wing County.



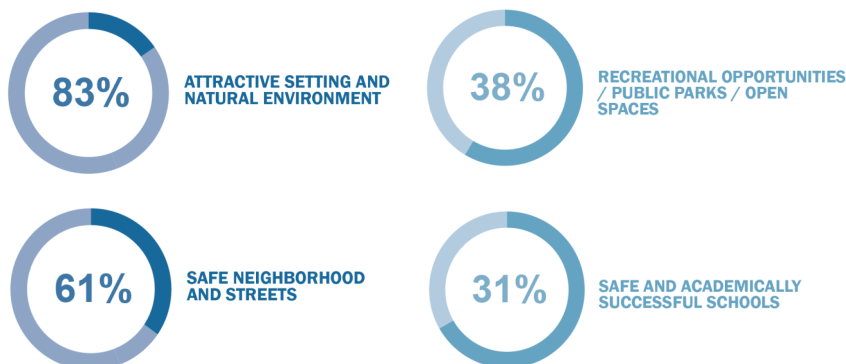
PUBLIC INPUT

As part of the comprehensive plan outreach process, a community survey asked residents a variety of land use and development-related questions to gather insight into the future desire’s residents have for the city. When asked about future growth, 53 percent of survey respondents noted commercial and retail growth as a top priority. The survey asked participants to give their opinion on future residential development. Responses indicate support for low- and medium-density residential development. Nearly 44 percent of people supported low-density residential development such as one to three acres, and nearly 30 percent support a mix of low-density and medium-density housing, such as townhomes up to five or six units per acre.

Q10. When planning for future residential development, should the city place more emphasis on:



As highlighted in the introduction chapter, survey participants highlighted a set of elements that they felt make the city a great place to live. The city should seek to enhance these elements and take the necessary means to position the city to address this asset-based framework, versus a needs-based framework. Residents identified the attractive setting and natural resources as the leading element with 83 percent. A variety of wetlands, sensitive environmental features and forested area covers the city. The land uses that attribute to this element should be preserved when the city seeks to plan. The second leading elements was safe neighborhoods and streets. Traffic volume on local streets contribute to a comfortable environment for walkers, runners, and pedestrians. The following is a graphic highlight of the survey question:



Zoning districts are not necessarily consistent with land use districts. Zoning districts are frequently distinct from both current land use districts and future land use districts. Existing land use simply classifies how the land is currently being used on each parcel. Zoning identifies the preferred and permitted uses for development and redevelopment. The zoning map shows what is allowed to happen today for each parcel. Future land use identifies a preferred end result of the development and redevelopment process. Future land use is general in nature, capturing the desired long-range future condition over the course of a much longer timeframe.

TAX-FORFEITED PROPERTIES

There’s a total of 374 tax forfeited parcels throughout the city, totaling 280 acres. The city considers purchasing properties at each county land sale. Some parcels have been purchased to remove them from the markets due to their difficulty to build upon and associated site constraints that could become public nuisances. In recent years parcels have been purchased for city buildings and the city park, and others have been purchased without a stated public purpose or strategy.

Acquire and sell lots: The city could acquire the tax-forfeited and other parcels and consolidate them for sale in larger tracts in order to facilitate land development consistent with the regulations that could potentially arise from this plan.

Acquire and hold lots: The city could acquire tax-forfeited lots and other parcels and hold them in their undeveloped conditions. This would provide buffers for the smaller holdings while preserving and protecting other natural resources.

Pay part of the improvement costs: The city could pay part of the cost of installing municipal sewer or water lines, or upgrading street surfaces.



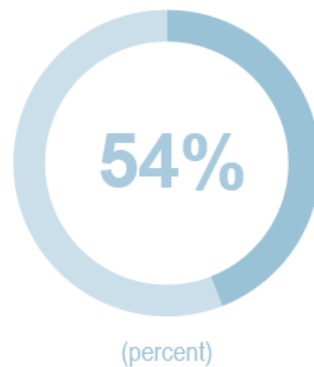
Commercial Growth and Expansion: Survey participants noted commercial and retail growth as the highest priority for the future. In an effort to address and build a year-round economy, residents seek to add services and businesses to the city, which can grow employment opportunities throughout the year. Residents support centralized development in the core of the city and concentrate development to support a walkable environment. Community members seek a collaborative approach to increase job availability as this directly impacts livability.

Enhance Community Identity: Survey participants seek to build a strong community identity, one that is separate from the resort, to establish a unique experience and sense of place. The city should consider developing its own identity and brand that capture its unique natural, social, and physical factors.

Community Gathering Space: A centralized gathering space, whether it be a community center or central square, could serve as the formal hub of activity for the city. This space could be multi-use in function but support numerous events throughout the year. Nearly 60 percent of survey respondents support an idea of a public space that could be used for community gatherings within the city.

Expand Housing Options: Residents seek to diversify the housing stock to provide housing types and options for all income levels and stages in life. It's apparent that lot size has constrained further development. Many parcels throughout the city are too small to allow for development, based on current zoning regulations. Many residents wish to see the city study existing regulations to allow for a smaller house footprint and garage size as market rates and cost to build are becoming burdensome and discourage development for certain income ranges.

Q8. What is your highest priority for future growth in Breezy Point?



Commercial/retail growth that reduce taxes and add services should be the highest priority for the future.

MECHANISMS



Infill development: When neighborhoods or targeted locations have either municipal sewer service or on-site systems, the city could take strides to advance housing development for all income levels within the city to meet the needs of its residents, but also collectively advance the housing need throughout Crow Wing County.



Protect natural resources for economic benefit: Preservation of the city's sensitive environmental areas and prime natural resources can enhance property value, add to the sense of place and identity, increase local tax revenues, decrease costs of recreation, and entice and attract new or relocating businesses.



CASE STUDY AND FORM EXAMPLE

Use of small lots to spur development: Hundreds of undersized lots are platted throughout the city. The vast majority of these are too small to individually accommodate a house, water well, and wastewater treatment system. Fortunately, a large majority of them are owned in clusters, making the effective lot size much larger. It is the interest of the city and landowners to make use of previously improved neighborhoods rather than to promote the platting of new areas.

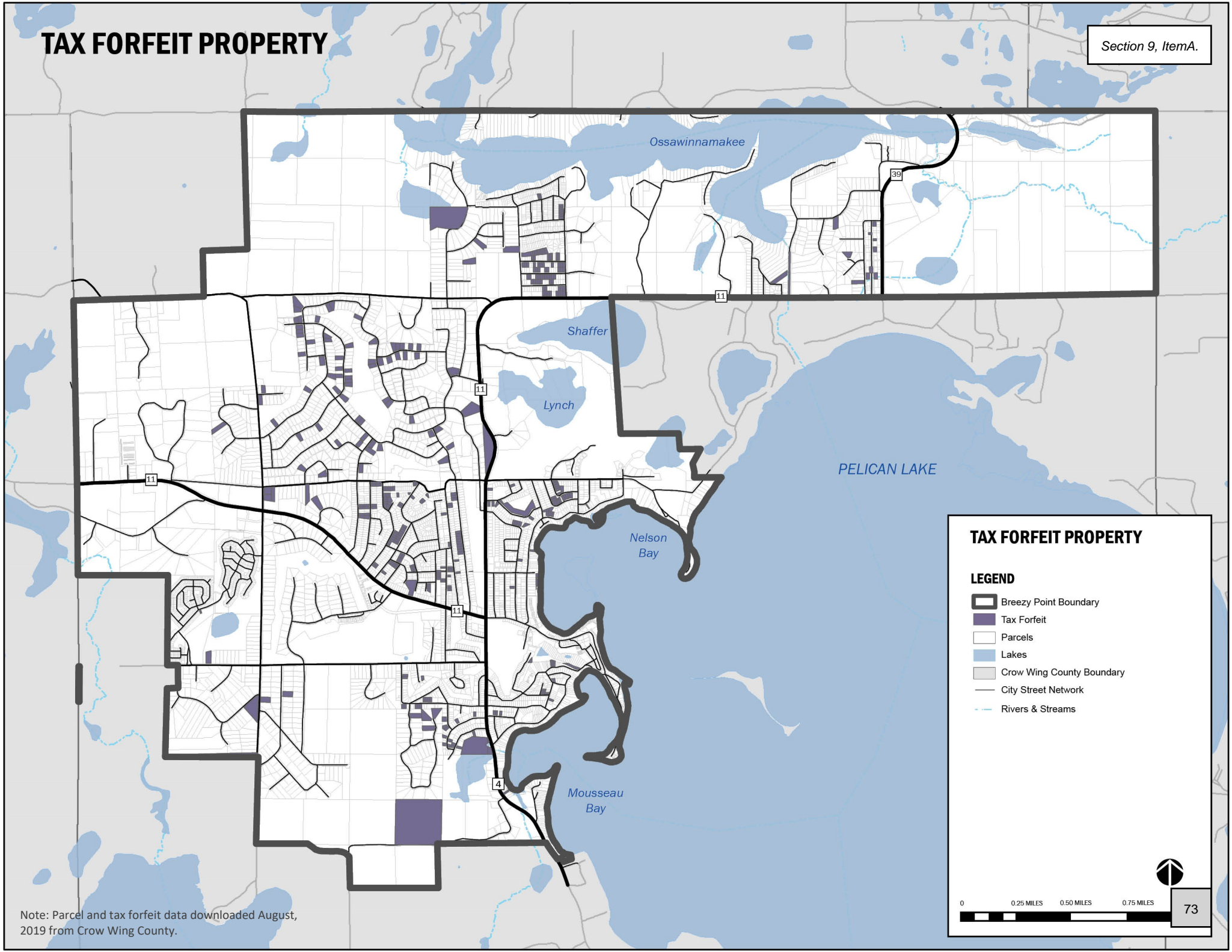


CASE STUDY AND FORM EXAMPLE

Concentrate commercial growth to yield either a walkable or low-speed vehicle environment: At the center of the city are local, small retail stores, small service businesses, and professional offices. At the intersection of County Highway 11 and Ranchette Drive, encourage retail and service businesses and offices. Near the western perimeter of the city, north of County Highway 11, allow retail and service businesses, light manufacturing, offices, and general businesses that may require screened outdoor storage of equipment or materials.

TAX FORFEIT PROPERTY

Section 9, Item A.



Note: Parcel and tax forfeit data downloaded August, 2019 from Crow Wing County.

TAX FORFEIT PROPERTY

LEGEND

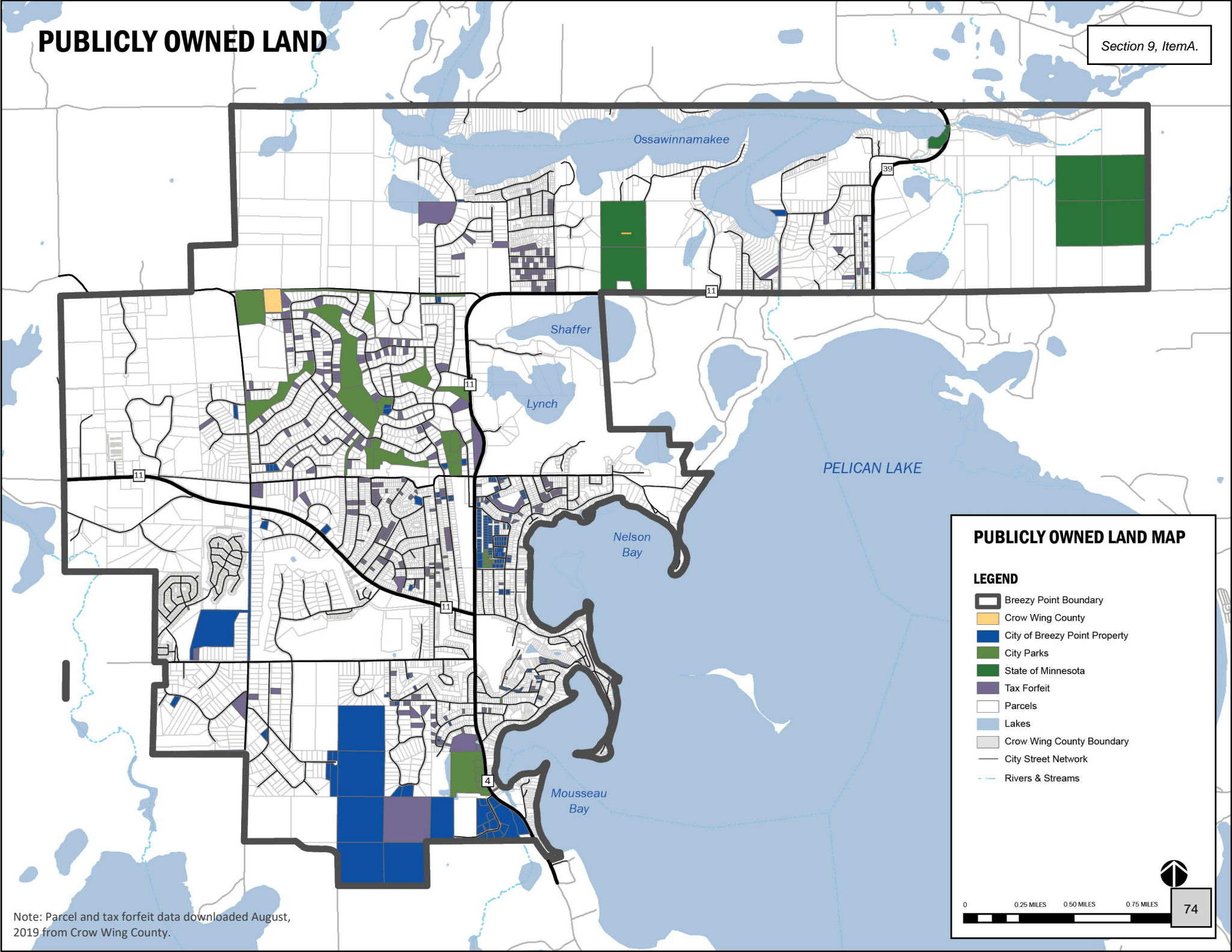
- Breezy Point Boundary
- Tax Forfeit
- Parcels
- Lakes
- Crow Wing County Boundary
- City Street Network
- Rivers & Streams

0 0.25 MILES 0.50 MILES 0.75 MILES

73

PUBLICLY OWNED LAND

Section 9, Item A.



Note: Parcel and tax forfeit data downloaded August, 2019 from Crow Wing County.

PUBLICLY OWNED LAND MAP

LEGEND

- Breezy Point Boundary
- Crow Wing County
- City of Breezy Point Property
- City Parks
- State of Minnesota
- Tax Forfeit
- Parcels
- Lakes
- Crow Wing County Boundary
- City Street Network
- Rivers & Streams

0 0.25 MILES 0.50 MILES 0.75 MILES

74

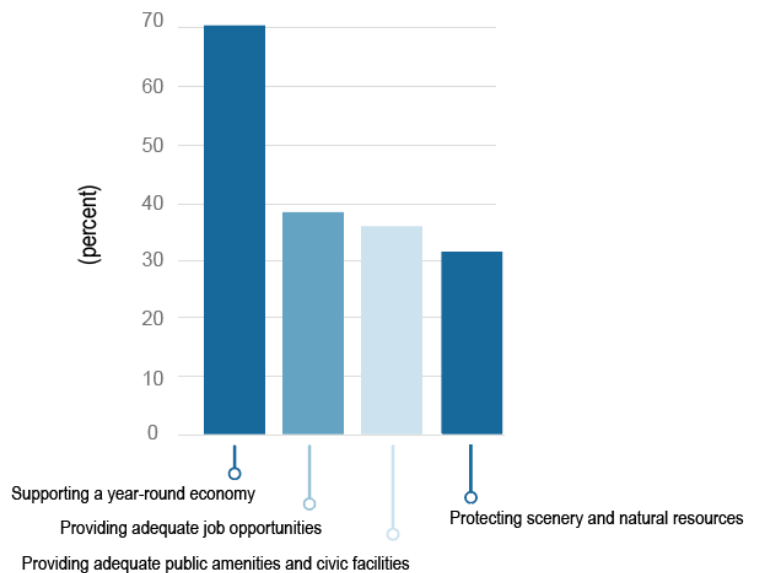


FUTURE LAND USE

This section of the plan identifies areas with potential to support new growth or infill development by guiding specific land uses to these areas. The future land use map identifies the preferred end result of the development and redevelopment process at a specific point in time 15 years from the present. The future land use map illustrates the long-range desired future condition or summarized as the preferred end results of development and redevelopment in the future. The map is generalized to accommodate future change and should not be viewed on a parcel-by-parcel basis. The actual boundaries will be shaped by market conditions, demographic changes, and economic events that occur in the future. It's very important to acknowledge that future land use categories are very different from zoning classifications. Future land use categories seek to address a full range of land use types.

The future land use categories are similar to those used in the 2016 comprehensive plan except that the residential categories have been more clearly defined to reflect a wider range of density and simplified to accommodate future growth needs as they arise. Parks and open spaces have been separated into new districts that highlight public ownership and private ownership.

Q13. When it comes to growth and development, what is Breezy Point's greatest challenge?



FUTURE LAND USE CATEGORIES

CLASSIFICATION

URBAN RESERVE



WOODED RESIDENTIAL



LOW DENSITY RESIDENTIAL (LDR)



OVERVIEW

URBAN RESERVE (UR): THIS CLASSIFICATION INCLUDES FORESTRY FARMING, ANIMAL HUSBANDRY, AND CERTAIN BUSINESSES THAT REQUIRE AN ISOLATED SETTING. THESE LOCATIONS MAY BE SUBDIVIDED IN THE FUTURE INTO SMALLER RESIDENTIAL PARCELS TO OTHER PARCELS OF THE CITY.

COLOR: (UR) IS REPRESENTED BY THE COLOR LIGHT GREEN/ GRAY ON THE FLUM.

DENSITY: MINIMUM LOT SIZE OF 10 ACRES.

WOODED RESIDENTIAL (WR): THIS CLASSIFICATION WOULD TRADITIONALLY BE IDENTIFIED AS RURAL RESIDENTIAL, CONSISTING OF LOW-DENSITY, DETACHED HOMES ON 2.5- TO 5- ACRE TRACTS AS A MEANS TO PRESERVE THE FORESTED CHARACTER OF THE LAND.

COLOR: (WR) IS REPRESENTED BY THE COLOR DARK GREEN ON THE FLUM.

DENSITY: 2.5-5 ACRE TRACTS

LOW-DENSITY RESIDENTIAL (LDR): THIS CLASSIFICATION IDENTIFIES USES THAT WILL BE PREDOMINATELY SINGLE-FAMILY DETACHED UNITS WITH THE POTENTIAL FOR SOME TWIN HOMES AND OTHER LOW-DENSITY ATTACHED HOMES.

COLOR: (LDR) IS REPRESENTED BY THE COLOR YELLOW ON THE FLUM.

DENSITY: OVERALL DENSITY IS GENERALLY BETWEEN 1 AND 4 UNITS PER ACRE.

**MEDIUM DENSITY
(MDR)**

COMMERCIAL (C)

**RESORT
COMMERCIAL (RC)**



MEDIUM DENSITY RESIDENTIAL (MDR): THIS CLASSIFICATION IDENTIFIES USES THAT WOULD ACCOMMODATE A MIX OF HOUSING TYPES, INCLUDING SINGLE-FAMILY DETACHED, TWIN HOMES, TOWNHOMES, ROW HOUSES, APARTMENTS, AND SENIOR HOUSING.

COLOR: (MDR) IS REPRESENTED BY THE COLOR ORANGE ON THE FLUM.

DENSITY: OVERALL DENSITY IS BETWEEN 4 AND 9 UNITS PER ACRE.

COMMERCIAL: THIS CLASSIFICATION INCLUDES BUSINESSES THAT PROVIDE GOODS OR SERVICES ON A RETAIL BASIS TO THE PUBLIC, OFFICE BUILDINGS, CLOSELY RELATED LAND USES AS WELL AS RETAIL OR SERVICE BUSINESSES, LIGHT MANUFACTURING, WAREHOUSING, OFFICES, LUMBER YARDS, OUTDOOR STORAGE, AND APARTMENTS.

COLOR: COMMERCIAL © IS REPRESENTED BY THE COLOR RED ON THE FLUM.

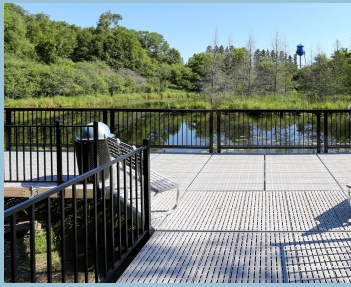
RESORT COMMERCIAL (RC): THIS CLASSIFICATION INCLUDES RESORTS, MARINAS, RESTAURANTS, BARS, RENTAL OR TIMESHARE HOUSING UNITS, AND RELATED LAND USES.

COLOR: (RC) IS REPRESENTED BY THE COLOR LIGHT PURPLE ON THE FLUM.

AIRPORT (A)



PUBLIC (P)



PARKS & OPEN SPACE (PO)



RECREATION (R)



AIRPORT (A): THIS CLASSIFICATION IS DEDICATED FOR THE EXISTING AIRPORT AND LANDING STRIPS.

COLOR: AIRPORT (A) IS REPRESENTED BY THE COLOR PURPLE ON THE FLUM.

PUBLIC: THIS CLASSIFICATION IDENTIFIES PORTIONS OF THE CITY THAT CONTAIN USES THAT BENEFIT THE PUBLIC SUCH AS PUBLICLY OWNED BUILDINGS AND OTHER ESSENTIAL FACILITIES OWNED BY THE CITY, COUNTY, OR STATE.

COLOR: PUBLIC (P) IS REPRESENTED BY THE COLOR BLUE ON THE FLUM.

PARKS & OPEN SPACE (PO): THIS CLASSIFICATION IDENTIFIES PORTIONS OF THE CITY THAT CONTAIN PARKS, TRAILS, AND OPEN SPACES. THIS CATEGORY IDENTIFIES PUBLIC OPPORTUNITIES FOR RECREATION AND LEISURE.

COLOR: (PO) IS REPRESENTED BY THE COLOR OLIVE/DARK GREEN ON THE FLUM.

RECREATION (R): THIS CLASSIFICATION IDENTIFIES PRIVATE GOLF COURSES AND CAMPGROUNDS.

COLOR: RECREATION (R) IS REPRESENTED BY THE COLOR OLIVE ON THE FLUM.



FUTURE TECHNIQUES AND PRACTICES

Neighborhood Development Planning:

The city should consider preparing layouts showing how subareas of the community could be improved, developed, and preserved. On a lot-by-lot basis, or groupings, the city could illustrate how ownership could be consolidated, certain lots built upon, other parcels held open, drainage ponds added, roads abandoned or improved, and wastewater services provided.

Road Corridor Planning:

The city should plan the edges of the minor arterial roads for any appropriate and acceptable variety of land uses as long as the roadway access guidelines are followed. Appropriate land uses can range from single-family housing to businesses. In general, access efficiency and visibility should be geared toward more intensive land uses, while land uses that generate less traffic should be served by minor roads.

Conservation Subdivision:

Conservation subdivisions are residential subdivisions that devote a large portion of their potentially buildable land to undivided, permanently protected open space. Conversely, conventional subdivisions devote nearly all buildable land area to individual lots and streets. In rural areas, conservation subdivisions offer several advantages

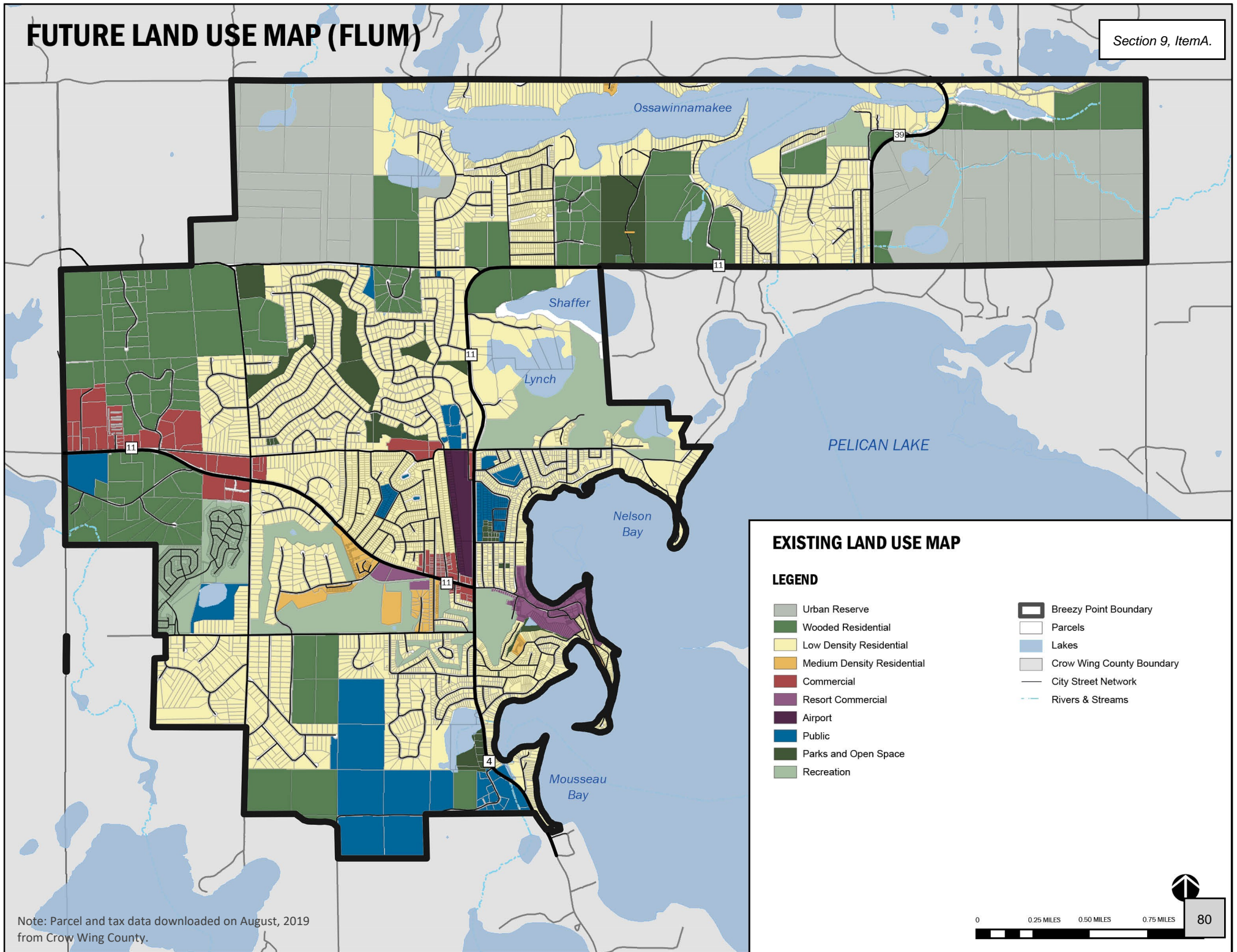
over conventional subdivision practices. They provide more habitat for wildlife, filter and retain more stormwater runoff, require less new infrastructure, preserve vegetation and tree cover, and better maintain a rural sense of place.

To maximize the benefits of conservation subdivision design, communities must first identify environmental and cultural resources they wish to protect from new development. Primary conservation features include floodplains, wetlands, and steep hills that may be already protected from new development through development regulations. Secondary conservation features include mature woodlands and individual large trees, wildlife habitat, riparian corridors, and scenic viewsheds. These secondary features are vulnerable to new development.

“
WITH THE RIGHT AREA AND WITH THE RIGHT
PLANNING, THE CITY SHOULD CONSIDER
ALLOWING SMALLER LOT DEVELOPMENTS WITH
APPROPRIATE SEWER AND WATER FACILITIES.
”
-Community Survey Respondent

FUTURE LAND USE MAP (FLUM)

Section 9, Item A.



EXISTING LAND USE MAP

LEGEND

- | | |
|----------------------------|---------------------------|
| Urban Reserve | Breezy Point Boundary |
| Wooded Residential | Parcels |
| Low Density Residential | Lakes |
| Medium Density Residential | Crow Wing County Boundary |
| Commercial | City Street Network |
| Resort Commercial | Rivers & Streams |
| Airport | |
| Public | |
| Parks and Open Space | |
| Recreation | |

Note: Parcel and tax data downloaded on August, 2019 from Crow Wing County.



GOALS AND STRATEGIES

Outlined below are four goals and 19 strategies to guide future growth and redevelopment in the city. The goal indicates a specific policy direction, while the strategies are detailed actions necessary to initiate or complete an objective such as a program, policy or a project.

Goal 1: Grow by investing in established areas, carefully planning new neighborhoods, providing attractive public facilities, and protecting environmental resources.

Strategies:

1. Accommodate a diverse array of residential development and support commercial growth in strategic infill sites.
2. Guide the majority of growth to locations that are already platted and served by public roads.
3. Encourage housing growth, variety, and housing type to occur in established neighborhoods.
4. Accommodate additional commercial or light industrial growth in locations indicated on the Future Land Use Map.
5. Ensure that natural resources in the city are protected or improved during the land development process.

Goal 2: Enhance the appearance of the community through strategic, long-range planning.

Strategies:

1. Promote the general community design guidelines for site development, rezoning, and public improvements.
2. Use the Future Land Use Map, zoning code, and subdivision ordinance to ensure that incompatible land uses do not negatively impact adjacent land uses.
3. Balance the land uses along the main roadways within the city, and ensure structures are appropriately situated on the site.
4. Plan for commercial and retail density at identified nodes, in already commercially zoned areas, ensuring that development patterns support a mixed-use, walkable environment.
5. Plan for the development of a centralized community gathering space that is the hub for civic events.

Goal 3: Provide a variety of housing types, densities, and choices to meet the lifecycle housing needs of residents.

Strategies:

1. Encourage residential structures on small lots that are already platted in the city by allowing county-approved methods of on-site wastewater treatment or extending municipal sanitary sewer to specified parts of the city.
2. Direct higher-density residential development toward more urban areas where public infrastructure is available.
3. Ensure that residential zoning regulations support, rather than prohibit, residential development by ensuring that a variety of homes can be built within the city to meet the needs of residents.
4. Continue to use the Urban Reserve district to preserve low-density and natural appearances of large properties intended for future development.

Goal 4: Through a variety of land use tools support, enhance, and expand businesses in the community.

Strategies:

1. Direct commercial development to existing commercial nodes and areas served by adequate transportation and infrastructure.
2. Support the mixed development of small and medium commercial spaces to create the best environment for local businesses.
3. At the Four Corners locate small retail stores, small service businesses, and offices.
4. Prioritize walkability to encourage people to shop at retail businesses by making the built environment more convenient and inviting for tourists and residents.
5. Review and revise development standards to encourage growth by ensuring that lot sizes, pervious/impervious ratios, setbacks, and parking ratios meet the needs of businesses.