



# PLANNING COMMISSION/BOARD OF ADJUSTMENT

**Tuesday, September 10, 2024 at 7:00 PM**

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

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

---

## AGENDA

---

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL/AMENDMENT OF THE AGENDA**
5. **OPEN FORUM**
6. **APPROVAL OF MINUTES**
  - A. August 14, 2024 Regular Planning Commission/Board of Adjustment Meeting Minutes
7. **NEW BUSINESS**
  - A. Variance Application V-24-010 - B&C Construction LLC
  - B. Variance Application V-24-011 - Greg Brendemuehl
  - C. Conditional Use Permit Application C-24-004 - City of Breezy Point
8. **OLD BUSINESS**
9. **STAFF REPORTS**
10. **MAYOR AND CITY COUNCIL REPORTS**
11. **ADJOURN**

Received by City: PH 7/31  
Application Number: V-24-010  
Non-refundable Fee Paid: 250  
Receipt #: 2429



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

# Variance Application

Name of Applicant Christopher Cullen  
Address 31310 Summer Dr  
City, State, Zip Breezy Point, MN 56472  
Phone 218-839-1222 Alternate Phone 838-8218

Physical Address / Location of Property Corner of Aspen + Birch Ln  
PTD 10210849

Legal Description of Property Fourth addition to Breezy Point Estates Lot 82+83

Parcel ID Number 10210849 Zoning District R3

- 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?  
Would like to build a 2 bedroom 2 Bath home with a 2 Stall garage.

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)  
(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 hardship as the follows: "A hardship 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

*Septic - Grundolf*

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 hardship 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: Would like to build new, no existing structures

Landscaping: \_\_\_\_\_

Parking/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?

Parcel size is too small. Current zoning will issue or permit for a home to be built with a lot size of 16,000 sq. feet. The subject property/lot is 15,314 sq feet

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

Adeq from the size of the lot, all other codes & ordinances are met. The intended use of the lot will be met

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

I am unable to use the lot, if I am unable to build

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

I could try to buy more land, the neighboring lot owner was not interested. 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.

Building a new home in the neighborhood will help increase property value and add to the neighborhood.

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?

This home is consistent in quality and size for all neighborhoods in

Building this home will add to the community by being another affordable home to our community.

8. Discuss any environmental limitations of the site or the area that limit building in other areas.  
There is no environmental impact or concerns.

9. Please include any other comments pertinent to this request.  
These homes are very nice. They offer a quality, one level option that is also affordable. To view a similar model look at: 325 Evelyn Ave W Pine River, MN 56474 MLS 6342975

**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. - Earth tone
- 5. Outside storage proposal. - Garage on site plan
- 6. Elevation plans for all existing and proposed structures.



TO: Planning Commission  
FROM: Peter Gansen, Planning & Zoning Administrator  
RE: Staff Report for V-24-010  
DATE: September 10, 2024 Regular Meeting

---

Variance Application V-24-010  
Applicant: B&C CONSTRUCTION LLC  
Property Address: ASPEN LANE  
Legal Description: LOT 82 & 83, FOURTH ADDITION TO BREEZY POINT ESTATES  
Parcel ID: 10210849  
Zoned: R-3 Unsewered Original Neighborhood

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

Variance Request:

- Is requesting a variance from the minimum non-conforming lot size requirement of 16,000 SQFT to approximately 15,314 SQFT to construct a residential dwelling.

Summary of the property

This property was platted\subdivided in 1963 as the 4<sup>th</sup> addition to Breezy Point Estates prior to land use ordinance adoption and minimum lot size requirements.

The property is in a residential neighborhood.

The adjacent neighbor’s properties are similarly developed with single-family year-round residences.

The City has established structural setbacks with minimum residential structure sizes and the proposed project appears to meet both these standards.

This property did have a prior variance approval for a similar structure. The applicant did not act on the approved variance within the allocated time frame and therefore nullified the prior variance.

Sunset clauses on variance are common language in ordinances. It provides a mechanism that allows communities the opportunity to review prior variance request if they are not acted up on in timely fashion.

For example: if a prior Commission granted a variance for something that does not meet today’s standards the Commission does retain the power not allow the variance request based on today’s circumstances. For example if someone wanted to enact a variance that was approved in 1989 would be the same thing be approved by todays standards.

Considering the length of time between the prior variance application, staff recommends the Commission consider approval of this request as the project appears to meet all other development criteria as it did in the prior variance.

The following are recommended findings the Commission can adopt.

Notice of Decision and Findings of Fact

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

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

**Yes, the lot would be considered undevelopable due to lot size.**

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

**Yes, the structure’s location is conforming, and the dimensions meet residential structure size requirements.**

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

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

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

**Yes, the prosed request is residential similar to the adjacent neighbors and shares the same setback as the residence across the street.**

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

**Yes, without the variance the landowner would not be allowed develop the property. See findings 1-5.**

The following are recommended conditions.

- 1) **None.**

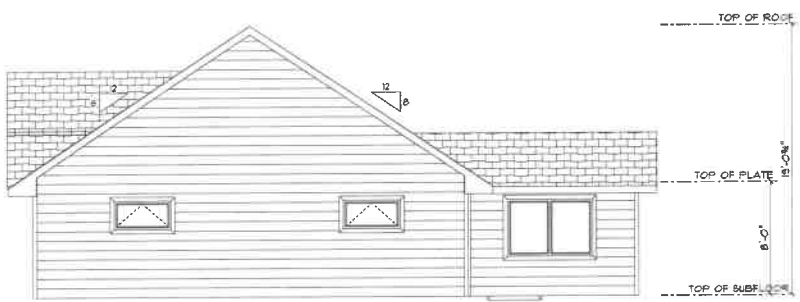




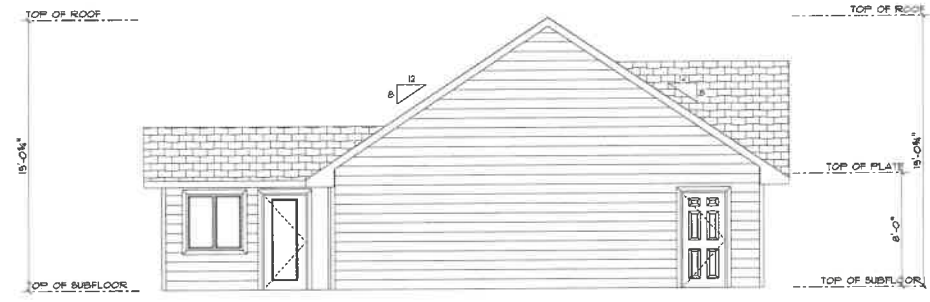
**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



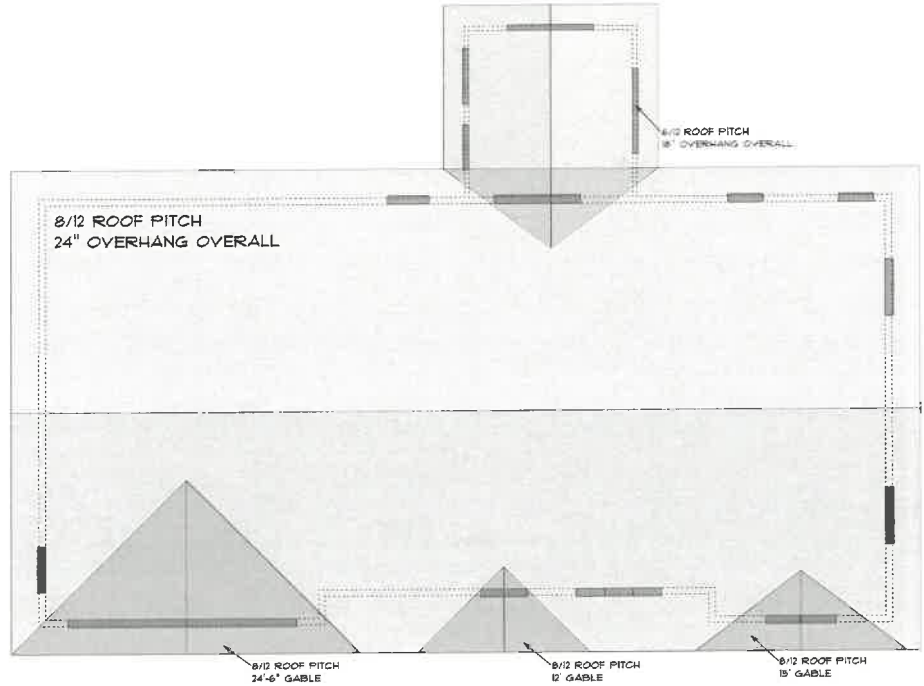
**EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS. THE CONTRACTOR IS RESPONSIBLE FOR FOLLOWING FOR ALL GOVERNING CODES AND BUILDING PRACTICES. THESE DRAWINGS CONFORM TO THE GENERALLY ACCEPTED BUILDING PRACTICES, HOWEVER, STATE AND LOCAL CODES VARY WIDELY, THE DESIGNER, AND "BPS" SHALL NOT BE HELD LIABLE FOR ANY ERRORS. ALL CONSTRUCTION SHALL CONFORM WITH ALL APPLICABLE STATE AND LOCAL CODES. DO NOT SCALE DRAWINGS. PRINTED DIMENSIONS OVERRIDE SCALING. VERIFY WITH WINDOW MANUFACTURER/RAILMAN ON WINDOW SIZES BEFORE ORDERING. VERIFY ALL MECHANICAL AND ELECTRICAL REQUIREMENTS AND CLEARANCE. CONTRACTOR SHALL VERIFY ALL FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEAM AND HEADER SIZES FOR CODE COMPLIANCE.

<b>BUILDERS FIRSTSOURCE</b>		SCALE: 1/4" = 1'-0"	
1111 S. 11th St. Payson, AZ 85541 PH: 520-326-5137 MOBILE: 719-310-5795 info@buildersfirstsource.com		DRAWN BY: AMELIA HENCKE DATE: Thursday, January 25, 2024	
		APPROVED:	
Chris Cullen PH: 520-326-5137 MOBILE: 719-310-5795		CHECKED BY: _____	
		PAGE: 2/3 Elevations	



**MAIN FLOOR 3 - ROOF**  
SCALE: 1/4" = 1'-0"

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS. THE CONTRACTOR IS RESPONSIBLE FOR FOLLOWING FOR ALL GOVERNING CODES AND BUILDING PRACTICES, THESE DRAWINGS CONFORM TO THE GENERALLY ACCEPTED BUILDING PRACTICES, HOWEVER STATE AND LOCAL CODES VARY WIDELY, THE DESIGNER, AND "B'S" SHALL NOT BE HELD LIABLE FOR ANY ERRORS. ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES. DO NOT SCALE DRAWINGS. PROVIDED DIMENSIONS OVERRULE THE DIMENSIONS SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL BEAM AND HEADER SIZES FOR CODE COMPLIANCE.

**Chris Cullen**  
PHONE:  
FAX:  
MOBILE: 214-838-1222

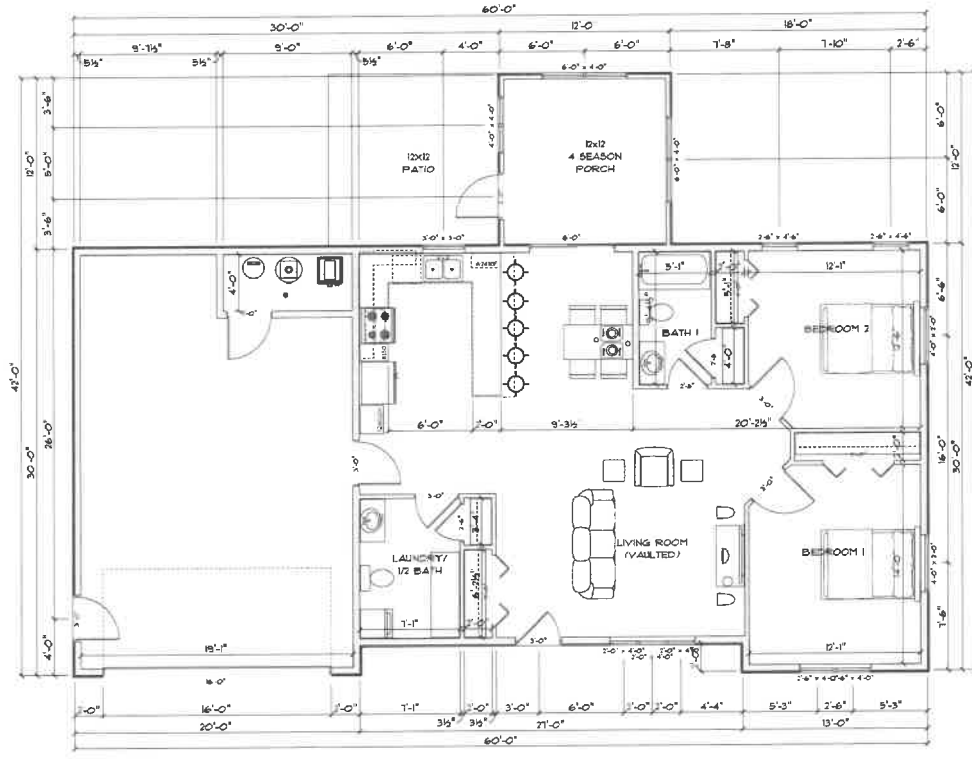


**BUILDERS FIRSTSOURCE**  
4128 S. 34th St.  
Project Lake,  
Lubbock,  
TX 79424  
PHONE: 214-564-0404  
FAX: 214-564-5117  
MOBILE: 214-711-5795  
amelia.hiencke@bfs.com

SCALE: 1/4" = 1'-0"  
DRAWN BY: AMELIA HIENCKE  
DATE: Thursday, January 25, 2024



APPROVED:  
CHECKED BY:



**MAIN FLOOR 3**  
SCALE: 1/4" = 1'-0"

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS. THE CONTRACTOR IS RESPONSIBLE FOR FOLLOWING FOR ALL GOVERNING CODES AND BUILDING PRACTICES. THESE DRAWINGS CONFORM TO THE GENERALLY ACCEPTED BUILDING PRACTICES, HOWEVER, STATE AND LOCAL CODES VARY. THE DESIGNER, AND "BFS" SHALL NOT BE HELD LIABLE FOR ANY ERRORS. ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES. DO NOT SCALE DRAWINGS. PRINTED DIMENSIONS OVERRIDE SCALING. VERIFY WITH WINDOW MANUFACTURER/RAILMAN ON ALL WINDOW SIZES AND APPLICABLE BRIDGE REQUIREMENTS FOR CORNER CONNECTIONS. VERIFY ALL MECHANICAL AND ELECTRICAL REQUIREMENTS AND CLEARANCE. CONTRACTOR SHALL VERIFY ALL FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEARING WALLS AND SEE FOR CODE COMPLIANCE.

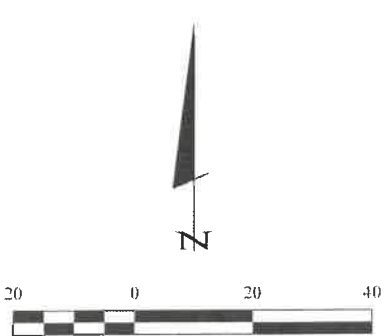
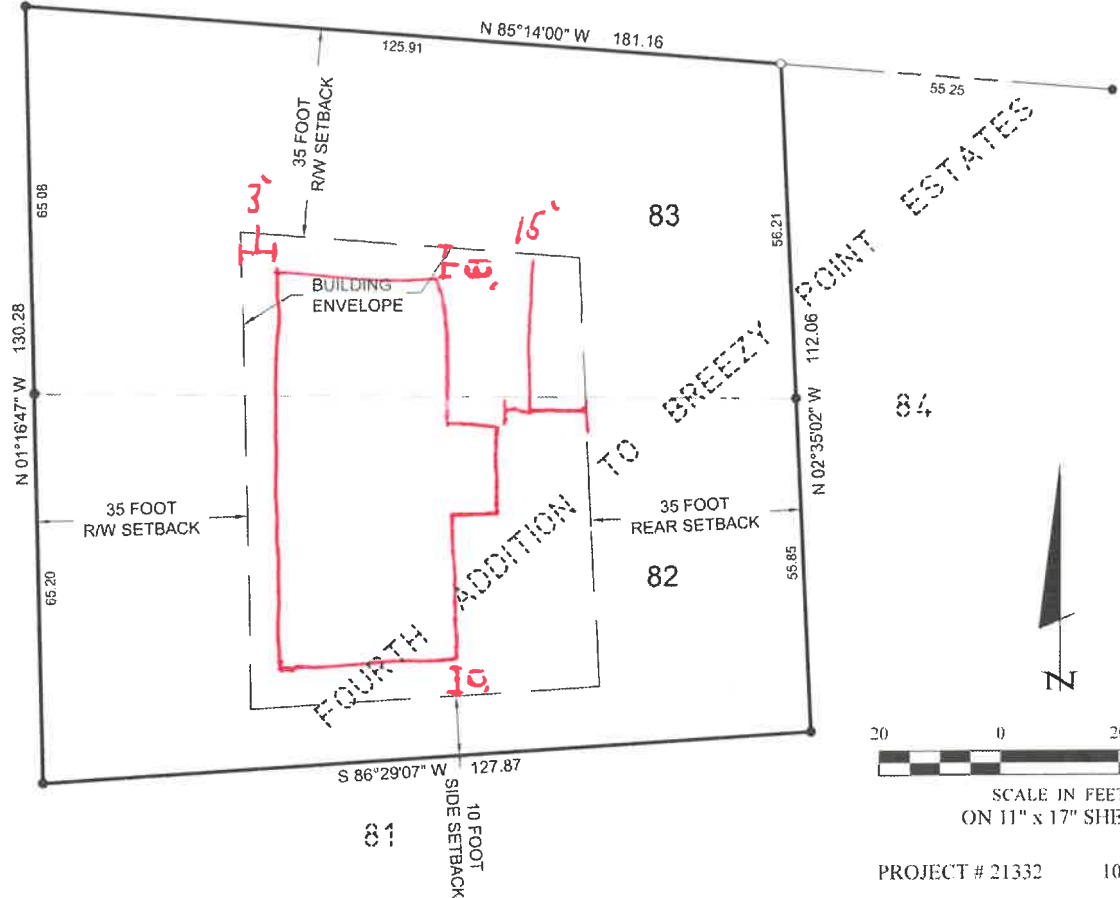
	<b>Chris Cullen</b> PROJECT MANAGER PHONE: 214-439-1222 FAX: 214-439-1222 MOBILE: 214-439-1222	APPROVED: _____ CHECKED BY: _____ SECTION: 7.1 DRAWN BY: AMELIA HENCKE DATE: Thursday, January 25, 2024	PAGE: 1/3 FLOOR PLAN
	BUILDERS FIRSTSOURCE 10000 North Loop West Suite 1000 Houston, Texas 77037 281.439.1222 info@buildersfirstsource.com	SCALE: 1/4" = 1'-0" DRAWN BY: AMELIA HENCKE DATE: Thursday, January 25, 2024	SECTION: 7.1 DRAWN BY: AMELIA HENCKE DATE: Thursday, January 25, 2024

# SKETCH OF SURVEY

## LOT 82 & 83, FOURTH ADDITION TO BREEZY POINT ESTATES

ASPEN LANE

BIRCH LANE



SCALE IN FEET  
ON 11" x 17" SHEET

PROJECT # 21332    10-28-21

Plotter: Lisa Bell - P: 218-568-1940 - E: lisa@stonemark.com - D:\2021\21332\21332.dwg

30206 Rasmussen Road  
Suite 1  
P. O. Box 874  
Pequot Lakes, MN 56472  
218-568-1940  
www.stonemarksurvey.com



City of Breezy Point  
Notice of Public Hearing  
Tuesday September 10, 2024, 7:00 p.m.  
Breezy Point City Hall

To Whom It May Concern:

Notice is hereby given that the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on Tuesday September 10, 2024 at 7:00 p.m. or shortly thereafter at Breezy Point City Hall, 8319 County Road 11, to consider the following;

Variance Application V-24-010  
B&C CONSTRUCTION LLC 8156 COUNTY ROAD 11 BREEZY POINT MN 56472. LOT 82 & 83, FOURTH ADDITION TO BREEZY POINT ESTATES. Parcel 10210849. Is requesting a variance from the minimum non-conforming lot size requirement of 16,000 SQFT to approximately 15,314 SQFT to construct a residential dwelling. Zoned R-3.

Variance Application V-24-011  
BRENDMUEHL, GREG 267 FRONT AVENUE ST PAUL MN 55117. LOT 3 BLOCK 3 BREEZY POINT ESTATES. Parcel 10162014. Is requesting a variance from the minimum non-conforming lot width requirement of 75 FT to 65.3 FT to construct a residential dwelling. Zoned R-3.

Conditional Use Application C-24-004  
CITY OF BREEZY POINT 8319 COUNTY RD 11 BREEZY POINT MN 56472. LOTS 32, 33, 60 & 61 THIRTEENTH ADDITION TO BREEZY POINT ESTATES. Parcels 10161063, 10161064, 1016036 & 10161035. Is requesting a conditional use permit to construct a fence exceeding 72 inches in height. Zoned Public.

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 that any property owner has been missed, or that our records are not correct.

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

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



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

Received by City:	8/19/27	Section 7, Item B.
Application Number:	U-24-011	
Non-refundable Fee Paid:	250	
Receipt #:	23642	

# Variance Application

Name of Applicant GREG BRENDENMUEHL  
 Address 267 FRONT AVE  
 City, State, Zip SAINT PAUL MN  
 Phone 507 412 9665 Alternate Phone \_\_\_\_\_

Physical Address / Location of Property LOT 3 PINWOOD DRIVE, BREEZY POINT.

Legal Description of Property Lot 3 Block 3

Parcel ID Number 10162014 Zoning District R-3

Applicant is:	Title Holder of Property (if different than applicant):
<input type="checkbox"/> Legal Owner of Property	Name _____
<input type="checkbox"/> Contract Buyer	Address _____
<input type="checkbox"/> Option Holder	City, State, ZIP _____
<input type="checkbox"/> Agent	Phone _____
<input type="checkbox"/> Other _____	

State the nature of your request in detail. What are you proposing for your property?  
I WOULD LIKE TO DEVELOP A SINGLE FAMILY HOME ON THE LOT.  
ASKING FOR VARIANCE BECAUSE LOT IS 65' WIDE, WHEN CITY IS  
WANTING 75' WIDE.

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) Greg B. Brendenmuehl  
 (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 hardship as the follows: "A hardship 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 hardship 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: BUILD A HOUSE 4 BED 2.5 BATH 1560 sq' FOOTPRINT  
Landscaping: ONLY REMOVAL OF ABOUT 7 TREES FOR BUILD  
Parking/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?

605 x 125 I BELIEVE A 75' WIDE RESTRICTION IS IMPRACTICAL BECAUSE A NICE HOME THAT STILL ABIDES BY ALL ZONING PERMETERS FOR DISTANCE FROM PROPERTY LINES CAN BE BUILT.

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

BY GRANTING THIS VARIANCE, IT WILL STILL ALINE WITH THE INTENT OF A SAFE, AESTHETICALLY PLEASING HOME. LOT TO N IS BUILT ON AND TO 10' ZONING. BUT TO SOUTH IS 175 DOUBLE LOT AND GIVES PLENTY OF ROOM.

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

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

THIS IS ONLY LOT 10 FOUND INTEREST TO PROVIDE THE TOP AMENITIES BREEZY HAS TO OFFER.

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

PROPERTIES IN AREA AND BOTH SIDES WILL HAVE EQUAL USE AND ENJOYMENT OF THEIR PROPERTIES.

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?

EXISTING PATTERNS SHOW A LARGE FLOW OF GUESTS

RESORT

INSIDE BREEZY POINT GATES. GOLFERS LAKE ACCESS TO MARINA SERVICES ARE ~~THE~~ CURRENTLY TREND OF GUESTS IN THE AREA AT BREEZY POINT RESORT.

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

I WILL POSITION BUILDING IN A SPACE MOST STRATEGICAL TO KEEP NATURAL SURROUNDING ABUNDANT.

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

Blank lines for additional comments.

INSTRUCTIONS TO THE APPLICANT

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

- 1. This application must be completed, including responses to all parts of this application.
- 2. The required fee must be paid. See fee schedule for details. 250
- 3. Certificate of Survey with the following information, as a minimum, unless waived by the Planning Commission / Board of Adjustment. Have Surveyor review
  - 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.
  - N/A  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.





TO: Planning Commission  
 FROM: Peter Gansen, Planning & Zoning Administrator  
 RE: Staff Report for V-24-011  
 DATE: September 10, 2024 Regular Meeting

---

Variance Application V-24-011  
 Applicant: GREG BRENDMUEHL  
 Property Address: ASPEN LANE  
 Legal Description: LOT 3 BLOCK 3 BREEZY POINT ESTATES  
 Parcel ID: 10162014  
 Zoned: R-3 Unsewered Original Neighborhood

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

Variance Request:

- Is requesting a variance from the minimum non-conforming lot width requirement of 75 FT to 65.3 FT to construct a residential dwelling.

Summary of the property

This property was platted\subdivided in 1962 as Breezy Point Estates prior to land use ordinance adoption and minimum lot size requirements.

The property is in a residential neighborhood.

The adjacent neighbor's properties are similarly developed with single-family year-round residences.

The City has established structural setbacks with minimum residential structure sizes and the proposed project appears to meet both these standards.

However, the property does not meet the minimum lot width requirement to be considered for an over-the-counter residence unit allowance.

This means the property will not be allowed a residential structure unless a variance to waive that requirement is granted.

This property did have a prior variance approval for a similar structure. The applicant did not act on the approved variance within the allocated time frame and therefore nullified the prior variance.

This is a common language in city ordinances to restrict the amount of development allowed on substandard lots. It provides a mechanism that allows communities the opportunity to review the property to determine if the size of the property is appropriate for a residential structure. There are many lots that exist in the City that are much more substandard in size and are not considered developable.

This lot based on the application material submitted at this time appears to meet the spirit an intent of ordinance. Meaning the lot appears to have the capacity to support a reasonably sized residential unit.

Staff recommends the Commission consider approval based on the plans submitted in the application.

The following are recommended findings the Commission can adopt.

Notice of Decision and Findings of Fact

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

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

**Yes, the lot would be considered undevelopable due to lot width.**

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

**Yes, the structure’s location is conforming, and the proposed structure dimensions meet residential structure size requirements.**

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

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

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

**The proposed request is residential similar to the adjacent neighbors and shall have the same setbacks.**

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

**Yes, without the variance the landowner would not be allowed develop the property. See findings 1-5.**

The following are recommended conditions.

- 1) **None.**

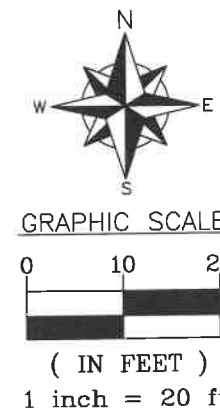
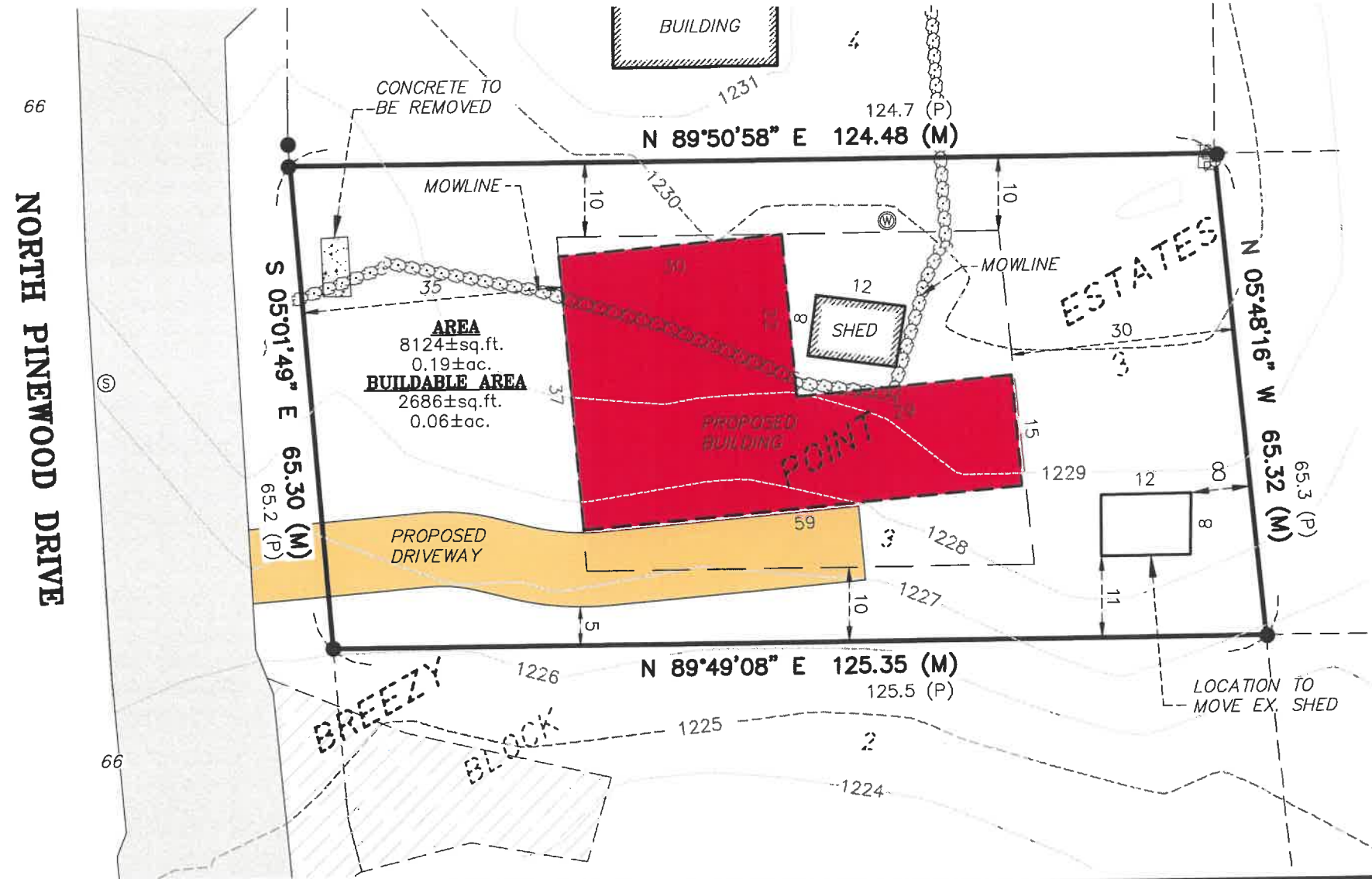
**DESCRIPTION** - (As Per Doc. No. - T-235836 Parcel No.: 10162014)  
 Lot Three (3) of Block Three (3) of Breezy Point Estates, according to the plat thereof on file and of record in the office of the Register of Deeds, Crow Wing County, Minnesota.

# CERTIFICATE OF SURVEY

**SURVEYOR'S NOTES:**

- Bearing Orientation: Crow Wing County Coordinate System (NAD83).
- Benchmark: Top of well casing. Elevation = 1231.68 feet (NAVD88).
- Vertical elevation and datum based on Mn/DOT Name: 1810 A 5, GSID Sta.#: 87347.
- The field survey was completed on 8/12/2024.
- Arro Land Surveying of Brainerd, INC. has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- Wetlands may exist on subject property but were not identified in the preparation of this survey.
- The utilities as shown on this survey were developed from the visible utilities across your property and is not implied nor intended to be the complete inventory of utilities in this area. It is the client's responsibility to verify the location of all utilities prior to construction or improving your property.
- Property Zoning: Original Neighborhood (R-3)
- Setback Requirements: R-O-W = 35 feet Side = 10 feet Rear = 30 feet

IMPERVIOUS SURFACE:	
<b>EXISTING</b> Parcel Area = 8124 sq ft Shed = 96 sq ft Concrete Surface = 29 sq ft Total Impervious Surface = 125 sq ft  125/8124 = 0.015 Existing Impervious Surface = 1.5%	<b>PROPOSED</b> Parcel Area = 8124 sq ft Building w/6" overhangs = 1618 sq ft Shed = 96 sq ft Driveway Surface = 726 sq ft Total Impervious Surface = 2440 sq ft  2440/8124 = 0.300 Proposed Impervious Surface = 30.0%



**LEGEND**

- DENOTES FOUND SURVEY MONUMENT
- TB DENOTES TELEPHONE PEDESTAL
- EM DENOTES ELECTRIC METER
- U DENOTES UTILITY POLE
- ⊙ W DENOTES WELL
- ⊙ S DENOTES SEPTIC MANHOLE
- ▨ DENOTES GRAVEL SURFACE
- ▨ DENOTES BITUMINOUS SURFACE
- ▨ DENOTES CONCRETE SURFACE
- - - - 1230 - - - - DENOTES 1 FOOT CONTOURS (NAVD88)
- (P) DENOTES MEASUREMENT PER PLAT OF BREEZY POINT ESTATES
- (M) DENOTES MEASUREMENT PER ARRO LAND SURVEYING OF BRAINERD, INC.

DRAWN BY: JAS CHECKED BY: EEL  
 APPROVED BY: JAS JOB NUMBER: 24-145B

NO.	DATE	BY	REVISION DESCRIPTION

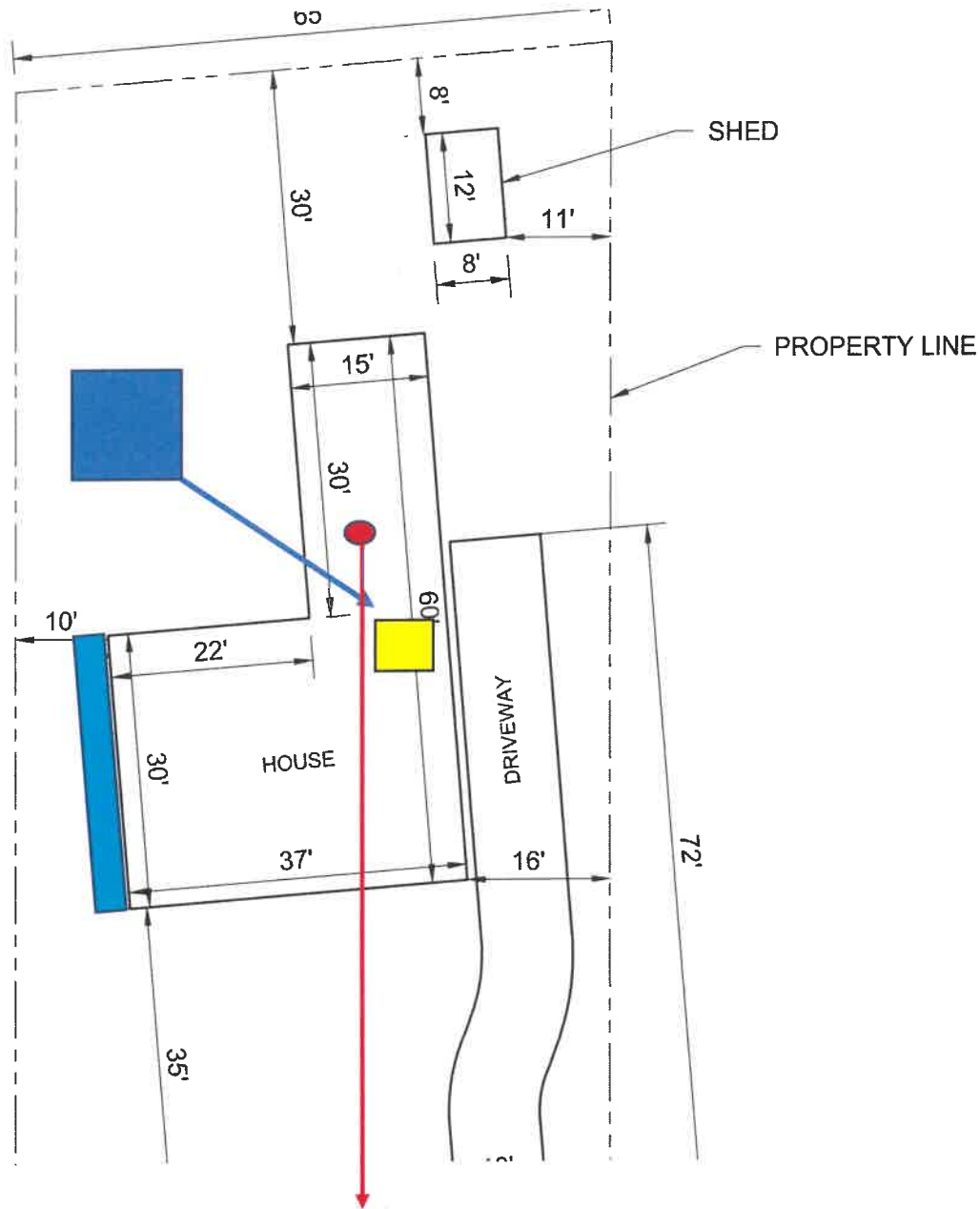
CLIENT:  
**Breezy Point International INC.**

**VARIANCE SURVEY**  
 Lot 3, Block 3  
**BREEZY POINT ESTATES**  
 Crow Wing County, MN



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.  
 Dated this 16th day of August, 2024  
 By: *Jared A. Spaid*  
 Jared A. Spaid, Minnesota License No. 59285





Current Well		Drainage tile back gutters to it flow to front	
Utility Room			
Main Stack			
Sewer Line			





# Lot 3 Pinewood Drive, Breezy Point, MN 56472-3159

Section 7, Item B.

## Lots & Land

List #: **6539984**  
Status: **Active**

List Price: **\$59,000**  
Orig List Pr: **\$39,950**  
Close Price:

Seller Contribution:



Map Coordinate: **999/A1**  
Directions: **From Breezy Point front gates, go East 2 blocks to Pinewood Dr. Turn left onto Pinewood Dr. Property listed is the first stand of trees, south of 30296 Pinewood Dr.**

Property ID: **10162014**  
Tax Year: **2023**  
Acres/Sqft: **0.190/8,276**  
Taxable Acres:  
Min Lot Size:  
Lot Size: **65x125x26x125**  
County: **Crow Wing**  
Postal City: **Breezy Point**  
School Dist: **186 - Pequot Lakes**  
List Date: **05/20/2024**

Tax Amount: **\$50**  
Assess Bal: **\$0**  
Tax w/ Assess: **\$50**  
Assess Pend: **No**  
Homestead: **No**  
Plat Recorded: **Yes**  
DOM: **25**  
CDOM:/PDOM: **0/10**

## General Information

Legal Desc: **LOT 3 BLOCK 3**  
Section/Township/Range: **16/136/28**  
Land Lease: **No** Rnt License:  
Fract Ownr: **No** Fire #: Insur Fee: **\$0**  
Comp/Dev/Sub: **Breezy Point Estates** Assoc Phone: Assoc Fee: **\$0**  
Assoc Mgmt Comp:  
Restr/Covenant: **None**  
Land Inclusions: **For Sale Sign**  
Improvements: **Paved Streets**  
Utilities: **Electricity Available, None Connected**  
Zoning: **Lot** Wooded Acres:  
Topography: **Level**  
Develop Status: **Raw Land**

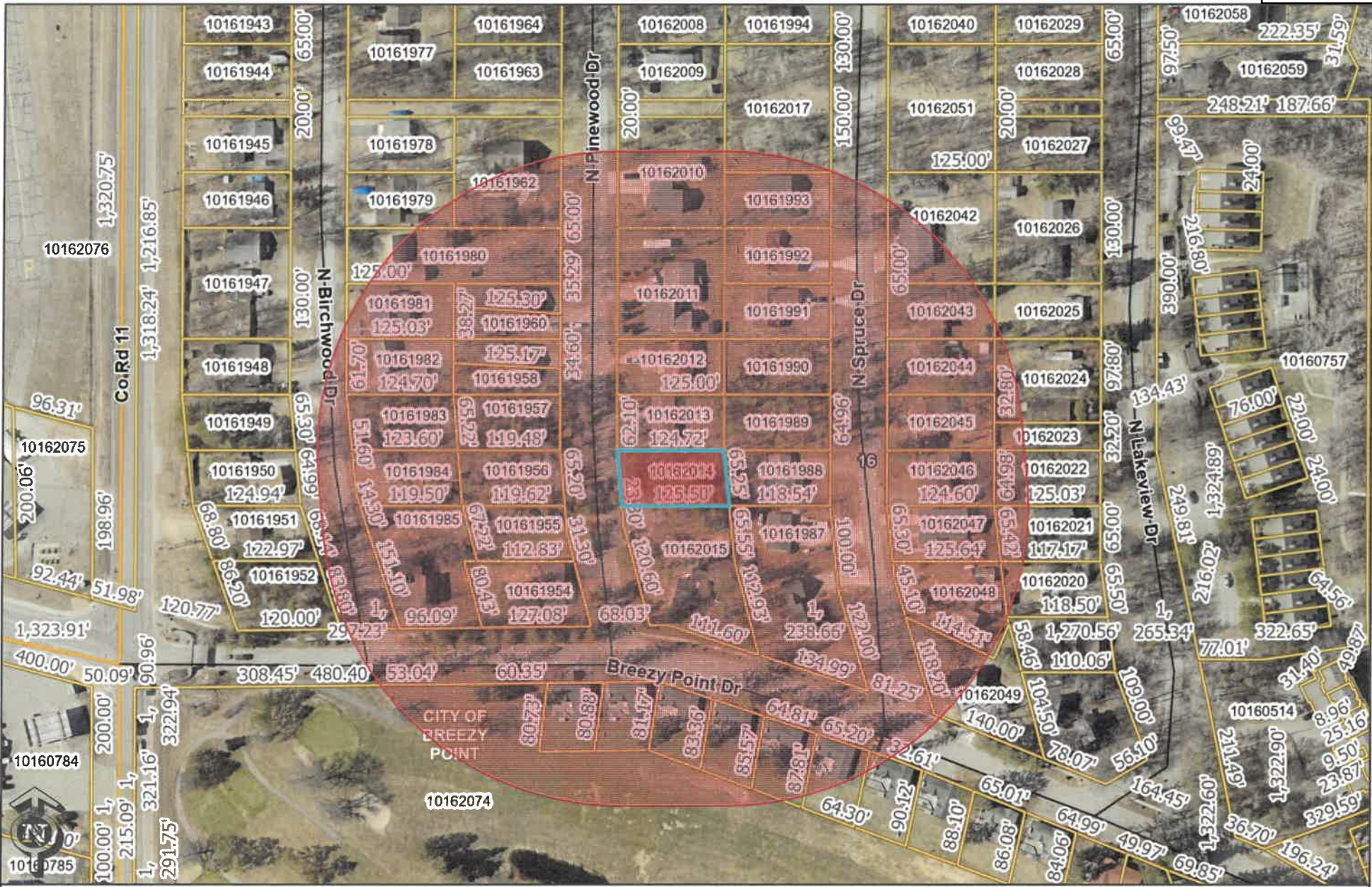
## Builder Information

Builder Restrict: **Open** Bldr Assoc Mbr:

## Remarks

Public: **Good lot to build your dream home**

MLS #: **6539984** Lot 3 Pinewood Dr., Breezy Point, MN 56472-3159



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

City of Breezy Point  
Notice of Public Hearing  
Tuesday September 10, 2024, 7:00 p.m.  
Breezy Point City Hall

To Whom It May Concern:

Notice is hereby given that the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on Tuesday September 10, 2024 at 7:00 p.m. or shortly thereafter at Breezy Point City Hall, 8319 County Road 11, to consider the following;

Variance Application V-24-010  
B&C CONSTRUCTION LLC 8156 COUNTY ROAD 11 BREEZY POINT MN 56472. LOT 82 & 83, FOURTH ADDITION TO BREEZY POINT ESTATES. Parcel 10210849. Is requesting a variance from the minimum non-conforming lot size requirement of 16,000 SQFT to approximately 15,314 SQFT to construct a residential dwelling. Zoned R-3.

Variance Application V-24-011  
BRENDMUEHL, GREG 267 FRONT AVENUE ST PAUL MN 55117. LOT 3 BLOCK 3 BREEZY POINT ESTATES. Parcel 10162014. Is requesting a variance from the minimum non-conforming lot width requirement of 75 FT to 65.3 FT to construct a residential dwelling. Zoned R-3.

Conditional Use Application C-24-004  
CITY OF BREEZY POINT 8319 COUNTY RD 11 BREEZY POINT MN 56472. LOTS 32, 33, 60 & 61 THIRTEENTH ADDITION TO BREEZY POINT ESTATES. Parcels 10161063, 10161064, 1016036 & 10161035. Is requesting a conditional use permit to construct a fence exceeding 72 inches in height. Zoned Public.

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 that any property owner has been missed, or that our records are not correct.

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

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

Received by City: 8/16/2024  
Application Number: C-24-004  
Non-refundable Fee Paid: —  
Receipt #: —



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

# Conditional Use Application

Name of Applicant City of Breezy Point  
Address 8319 Cty Rd 11  
City, State, Zip Breezy Point, MN, 56472  
Phone 218-820-8809 Alternate Phone \_\_\_\_\_

Physical Address / Location of Property 8319 Cty Rd 11,

Legal Description of Property 13<sup>th</sup> Add to BPE B1K 0 lot 32, 33, 60, 61

Parcel ID Number 10161035, 36, 63, 64 Zoning District \_\_\_\_\_

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?

66' x 238' community garden 36 10' x 20' plots 23 4' x 8' raised beds, with irrigation and 8 foot chain link fence

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) \_\_\_\_\_

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

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

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

The following questions must be answered.

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

Building: none  
Landscaping: leveling site add 300yds fill enclose in fence  
Parking/Signs: none

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

Minimal

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

City park / woodlands

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

Small increase in public restrooms and parking.

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

Change from grass to fenced in garden

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

Minimal, should be adequate parking by overflow parking.

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

I do not believe so

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

---

---

---

---

---

**INSTRUCTIONS TO THE APPLICANT**

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

- \_\_\_\_\_ 1. This application must be completed, including responses to all parts of this application.
- \_\_\_\_\_ 2. The required fee must be paid. See fee schedule for details.
- \_\_\_\_\_ 3. Legal description of the site.
- \_\_\_\_\_ 4. Site plan, drawn to scale, showing parcel and existing structure dimensions, water features, and 10 foot contour lines (smaller contour lines may be required if deemed necessary by the Planning Department, Planning Commission, or City Council).
- \_\_\_\_\_ 5. The site plan or should also show the location of all structures and their square footage.
- \_\_\_\_\_ 6. Existing and proposed curb cuts, driveways, access roads, turn-arounds, parking including RV, boat and additional vehicle storage, off-street loading, and sidewalks. Size and type of surface should also be included.
- \_\_\_\_\_ 7. Proposed landscaping and screening plans: garbage dumpsters, areas preserved in natural state including buffer areas, areas to be developed into lawn (grass), areas to be covered by woodchips or mulch, garden areas, shrubbery, types, size, age, and number of proposed trees and their locations, exterior lighting to be proposed including location and type, any other items deemed appropriate.
- \_\_\_\_\_ 8. Square footage of all impervious coverage. Impervious coverage includes the horizontal area of all buildings, decks, roof overhangs, patios, walks, driveways, and any other parking areas and drives constructed of any material.
- \_\_\_\_\_ 9. Proposed drainage plan.
- \_\_\_\_\_ 10. Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day.
- \_\_\_\_\_ 11. Soils data showing capability for building and on-site sewage treatment.
- \_\_\_\_\_ 12. Existing iron pipe boundary monuments marked with proof of survey.
- \_\_\_\_\_ 13. Approximate location of any proposed signs (if applicable).
- \_\_\_\_\_ 14. Color scheme for all existing and proposed structures.
- \_\_\_\_\_ 15. Outside storage proposal.
- \_\_\_\_\_ 16. Elevation plans for all existing and proposed structures.



TO: Planning Commission  
 FROM: Peter Gansen, Planning & Zoning Administrator  
 RE: Staff Report for Application C-24-04  
 DATE: September 10, 2024 Regular Meeting

---

Subdivision Application C-24-04  
 Applicant: CITY OF BREEZY POINT  
 Property Address: 8319 COUNTY ROAD 11  
 Legal Description: LOT 32, 33, 60 & 61 13TH ADDITION TO BREEZY POINT ESTATES  
 Parcel ID: 10161063, 10161036, 10161064 & 10161035  
 Zoned: P Public

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

Conditional Use Request:

- To construct a fence exceeding 72 inches in height.

Summary of the property

LOT 32, 33, 60 & 61 13TH ADDITION TO BREEZY POINT ESTATES is located north east of City Hall in an undeveloped plat adjacent to North Pinewood Drive and North Birchwood Drive.

The property and adjacent properties were platted as residential lots in 1964.

The zoning classification for the property is Public. Much of the adjacent properties are also owned by the City of Breezy Point. The public zoning district is a common zoning designation for most City owned properties. This zoning district exists to allow many uses related to municipal services related to city operations. Example of these include parks and recreation areas, open space, municipal wastewater facilities and cemeteries.

There are two lots 59 & 58 adjacent to the project that are owned by a private party and zoned R-3. These lots are also currently undeveloped.

Due to the scope of the project area and survey requirement for all conditional use permits, lot 59 the closest lot bordering the City’s property was re-surveyed to verify the property boundaries.

The public zoning classification requires a conditional use permit for any fence exceeding 72 inches in height in all zoning districts within the City of Breezy Point.

This conditional use permit request only pertains to fence height. The garden portion of the project is general permitted use shared by most properties in the City.

This means the Commission only needs to look at the design of the fence with regard to the height of the fence.

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

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

The property is zoned public and the request is an allowed use with a conditional use permit under the Land Use Ordinance Section §153.064.

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

Findings:

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

The following findings must be met:

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

The property is zoned public and the request is appropriate under Section §153.064.

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

Fences are allowed by Chapter 153.

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

The proposed use of the property is similar to the surrounding area, which includes city park area and recreational use amenities associated with park areas.

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

(2) The following must be considered:

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

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

**(c) The conditional use will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community;**

The use is proposing addition to public infrastructure at a cost to the public approved by the City Council.

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

The proposed use is proposing to use the existing city road facilities.

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

The proposed use is proposing to use the existing city parking lot.

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

The proposed use is in keeping with the park like character of the neighborhood.

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

No scenic or historical feature has been documented.

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

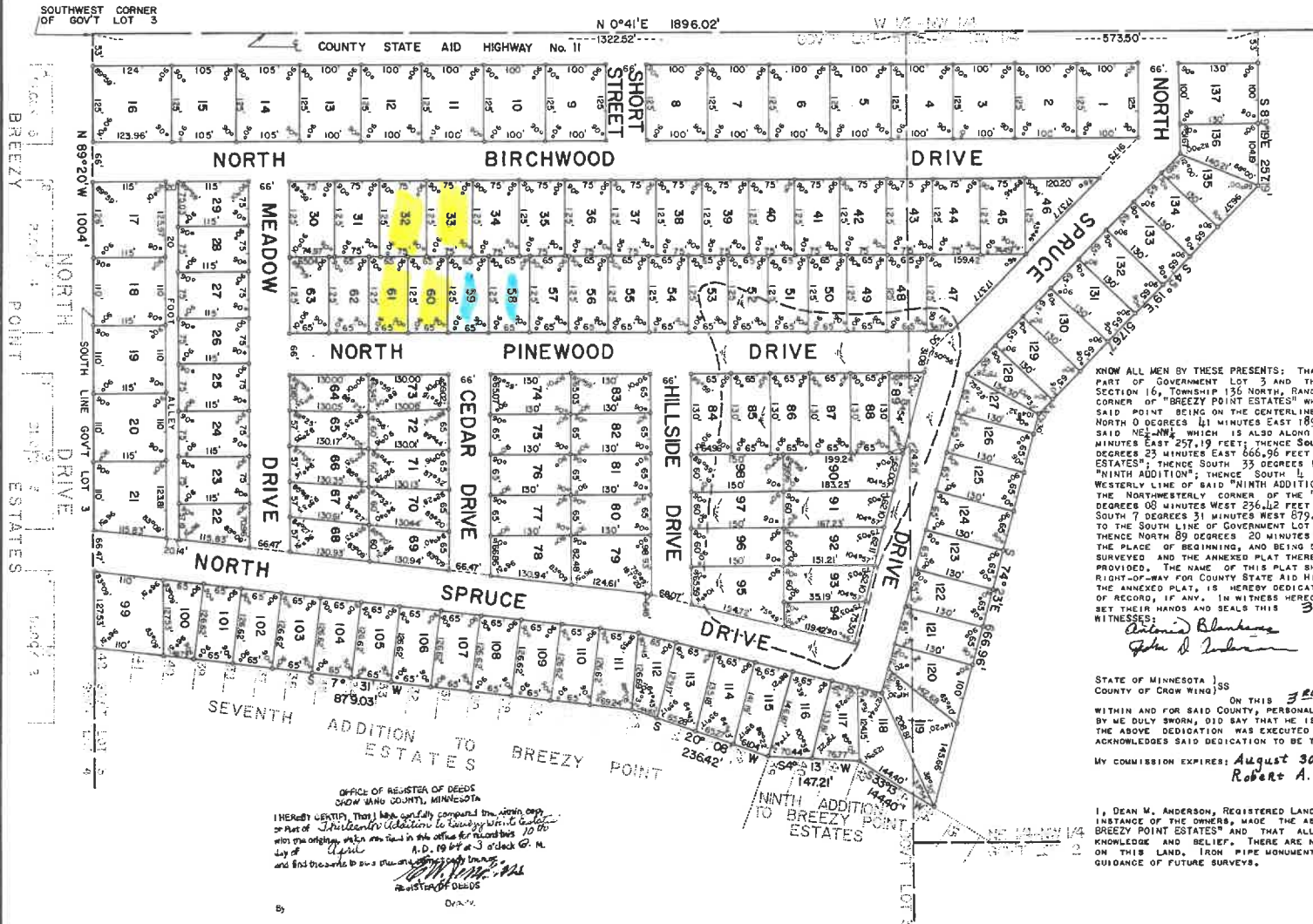
No significant source of stormwater modification has been note in regards the fence.

The following are recommended conditions.

- 1) Fence shall not exceed a maximum of eight feet.**

# THIRTEENTH ADDITION TO BREEZY POINT ESTATES

Section 7, Item C.



SCALE: 1 INCH = 100 FEET  
0 = IRON PIPE MONUMENT

211703  
STATE OF MINNESOTA )  
County of Crow Wing )  
I, Notary Public, do hereby certify that the within instrument was filed in the office for record on the 10th day of April A.D. 1964 at 3 o'clock P.M. and my duty is hereby performed.  
*Robert A. Alderman*  
Notary Public

KNOW ALL MEN BY THESE PRESENTS: THAT BREEZY POINT ESTATES, A PARTNERSHIP, IS THE OWNER OF THAT PART OF GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 16, TOWNSHIP 136 NORTH, RANGE 28 WEST DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF "BREEZY POINT ESTATES" WHICH IS ALSO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 3, SAID POINT BEING ON THE CENTERLINE OF COUNTY STATE AID HIGHWAY NO. 11 (C.S.A.H. #11); THENCE NORTH 0 DEGREES 41 MINUTES EAST 1896.02 FEET ALONG THE WEST LINE OF SAID GOVERNMENT LOT 3 AND SAID NE 1/4, WHICH IS ALSO ALONG THE CENTERLINE OF C.S.A.H. #11; THENCE SOUTH 89 DEGREES 19 MINUTES EAST 257.19 FEET; THENCE SOUTH 45 DEGREES 19 MINUTES EAST 517.67 FEET; THENCE SOUTH 78 DEGREES 25 MINUTES EAST 866.96 FEET TO THE WESTERLY LINE OF THE "NINTH ADDITION TO BREEZY POINT ESTATES"; THENCE SOUTH 33 DEGREES 13 MINUTES WEST 144.40 FEET ALONG THE WESTERLY LINE OF SAID "NINTH ADDITION"; THENCE SOUTH 14 DEGREES 13 MINUTES WEST 147.21 FEET CONTINUING ALONG THE WESTERLY LINE OF SAID "NINTH ADDITION" TO THE SOUTHWESTERLY CORNER OF SAID "NINTH ADDITION" AND THE NORTHWESTERLY CORNER OF THE "SEVENTH ADDITION TO BREEZY POINT ESTATES"; THENCE SOUTH 20 DEGREES 08 MINUTES WEST 236.12 FEET ALONG THE WESTERLY LINE OF SAID "SEVENTH ADDITION"; THENCE SOUTH 7 DEGREES 31 MINUTES WEST 879.03 FEET ALONG THE WESTERLY LINE OF SAID "SEVENTH ADDITION" TO THE SOUTH LINE OF GOVERNMENT LOT 3 WHICH IS ALSO THE NORTH LINE OF "BREEZY POINT ESTATES"; THENCE NORTH 89 DEGREES 20 MINUTES WEST 1000 FEET ALONG THE SOUTH LINE OF GOVERNMENT LOT 3 TO THE PLACE OF BEGINNING, AND BEING DESIROUS OF PLATTING SAID LAND INTO LOTS, HAVE HAD THE SAME SURVEYED AND THE ANNEXED PLAT THEREOF, MADE ACCORDING TO THE STATUTES IN SUCH CASES, MADE AND PROVIDED. THE NAME OF THIS PLAT SHALL BE "THIRTEENTH ADDITION TO BREEZY POINT ESTATES". THE RIGHT-OF-WAY FOR COUNTY STATE AID HIGHWAY NO. 11 AND THE STREET, DRIVES AND ALLEY, AS SHOWN ON THE ANNEXED PLAT, IS HEREBY DEDICATED TO THE PUBLIC. SUBJECT TO RESTRICTIONS OR RESERVATIONS OF RECORD, IF ANY, IN WITNESS WHEREOF, SAID BREEZY POINT ESTATES, A PARTNERSHIP, HAS HEREUNTO SET THEIR HANDS AND SEALS THIS 30 DAY OF FEBRUARY, 1964.

WITNESSES:  
*Robert A. Alderman* BREEZY POINT ESTATES  
*John D. Anderson* A PARTNER

STATE OF MINNESOTA )  
COUNTY OF CROW WING )  
ON THIS 30 DAY OF FEBRUARY, 1964, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED J. D. LENZ, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS A PARTNER IN BREEZY POINT ESTATES, A PARTNERSHIP, AND THAT THE ABOVE DEDICATION WAS EXECUTED IN BEHALF OF SAID BREEZY POINT ESTATES, AND SAID J. D. LENZ ACKNOWLEDGES SAID DEDICATION TO BE THE FREE ACT AND DEED OF BREEZY POINT ESTATES.  
MY COMMISSION EXPIRES: August 30, 1970  
*Robert A. Alderman*

I, DEAN M. ANDERSON, REGISTERED LAND SURVEYOR NO. 3091, DO HEREBY CERTIFY THAT I HAVE, AT THE INSTANCE OF THE OWNERS, MADE THE ABOVE MENTIONED SURVEY AND PLAT OF "THIRTEENTH ADDITION TO BREEZY POINT ESTATES" AND THAT ALL INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THERE ARE NO NET LANDS OR PUBLIC ROADS, OTHER THAN SHOWN ON THE PLAT, ON THIS LAND. IRON PIPE MONUMENTS HAVE BEEN PLACED AT THE POINTS INDICATED ON THE PLAT FOR GUIDANCE OF FUTURE SURVEYS.  
*Dean M. Anderson*  
REGISTERED LAND SURVEYOR  
MINNESOTA REG. NO. 3091

STATE OF MINNESOTA )  
COUNTY OF CROW WING )  
ON THIS 30 DAY OF FEBRUARY, 1964, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED DEAN M. ANDERSON, TO ME WELL KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE HEREBY ACKNOWLEDGES THE SAME AS HIS FREE ACT AND DEED.  
MY COMMISSION EXPIRES:  
*Robert A. Alderman*  
NOTARY PUBLIC  
Crow Wing County, Minnesota  
My Commission Expires Aug. 30, 1970

I, EINER R. ANDERSON, AUDITOR FOR CROW WING COUNTY, MINNESOTA, DO HEREBY CERTIFY THAT THE TAXES ON THE LANDS DESCRIBED HEREON HAVE BEEN PAID FOR THE YEARS PRIOR TO 1963.  
*Einer R. Anderson*  
Auditor  
Crow Wing County, Minnesota

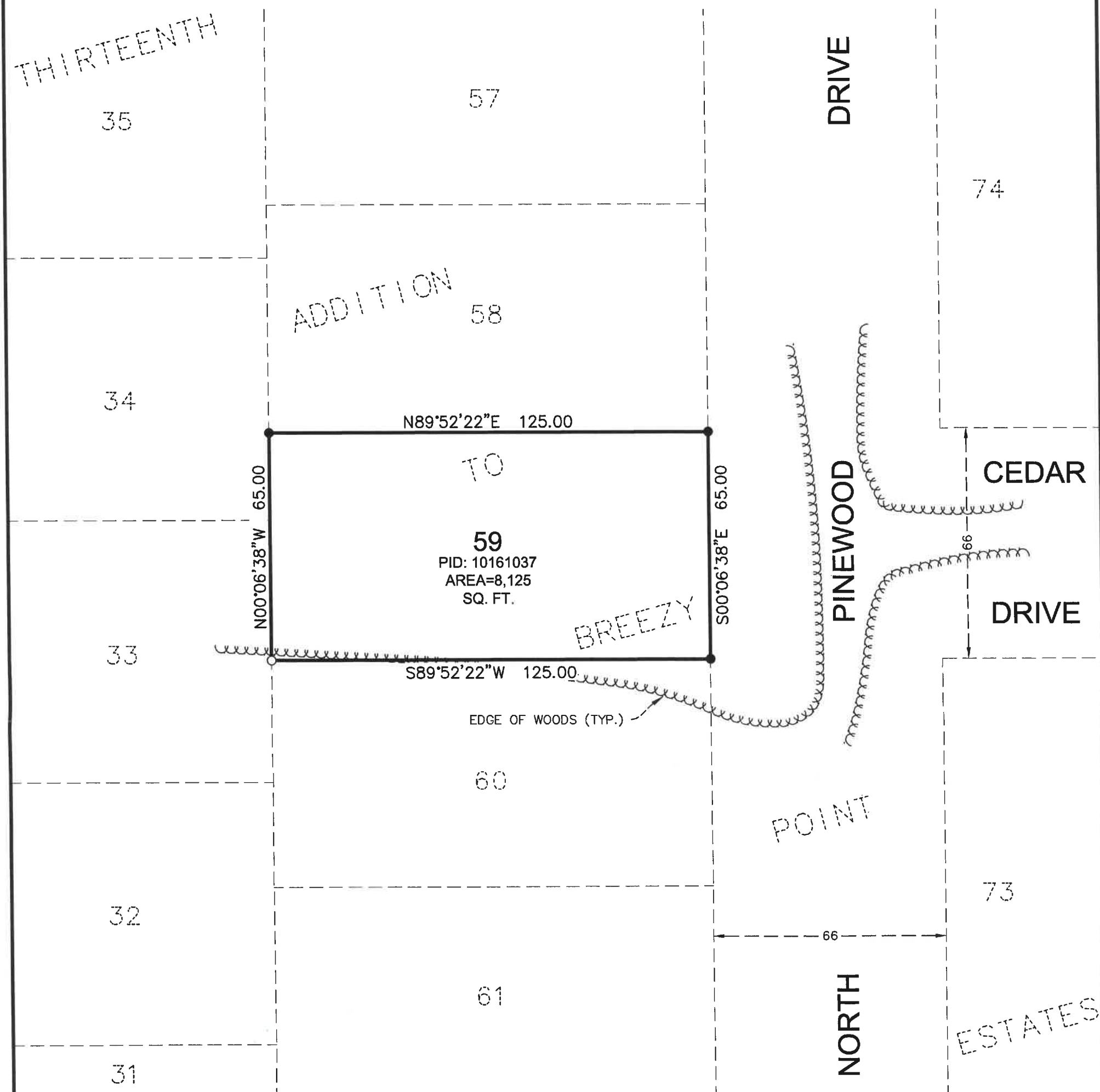
I, DOUG M. ANDERSON, TREASURER FOR CROW WING COUNTY, MINNESOTA, DO HEREBY CERTIFY THAT THE TAXES ON THE LANDS DESCRIBED HEREON HAVE BEEN PAID FOR THE YEAR 1963.  
*Doug M. Anderson*  
Treasurer  
Crow Wing County, Minnesota

THIS PLAT OF "THIRTEENTH ADDITION TO BREEZY POINT ESTATES" WAS APPROVED BY THE COUNCIL FOR THE VILLAGE OF PELICAN LAKE THIS 30 DAY OF FEBRUARY, 1964.  
ATTEST:  
*Robert A. Alderman*  
VILLAGE CLERK  
MAYOR

# Privately owned lots  
# City Project Area

# CERTIFICATE OF SURVEY

**LOT 59, THIRTEENTH ADDITION TO BREEZY POINT ESTATES,  
SECTION 16, TOWNSHIP 136, RANGE 28,  
CROW WING COUNTY, MINNESOTA.**



**SURVEYOR'S NOTES:**

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.

ACCORDING TO THE CITY OF BREEZY POINT ZONING MAP, THE SUBJECT PROPERTY IS CURRENTLY LOCATED IN THE ORIGINAL NEIGHBORHOOD R-3.

ACCORDING TO THE CITY OF BREEZY POINT LAND USE ORDINANCE THE BUILDING SETBACKS FOR ORIGINAL NEIGHBORHOOD R-3 ARE AS FOLLOWS:  
CITY RIGHT OF WAY: 35 FEET / SIDE: 10 FEET / REAR: 30 FEET

THE UTILITIES SHOWN ON THIS SURVEY ARE ACCORDING TO VISIBLE EVIDENCE ONLY. WIDSETH SMITH NOLTING ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND ACCURACIES OF THE LOCATIONS. FURTHER LOCATIONS AND VERIFICATIONS ARE RECOMMENDED BEFORE ANY CONSTRUCTION OR EXCAVATION.

THIS SURVEY IS BASED ON THE CROW WING COUNTY COORDINATE DATABASE NAD 83. ALTHOUGH THE EXISTING PLAT BEARINGS DIFFER FROM THE CROW WING COUNTY BEARING SYSTEM, THE ANGULAR RELATIONSHIP BETWEEN THE BOUNDARY LINES SHOWN CORRESPONDS TO THE PLAT LINES.



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE DATABASE NAD 83

- = DENOTES FOUND IRON MONUMENT
- = DENOTES 1/2 INCH DIAMETER BY 18 INCH LONG IRON PIPE MONUMENT SET AND MARKED RLS # 60122

**LEGAL DESCRIPTION (According to Part of Doc. No. 311758):**

Lot 59, Thirteenth Addition to Breezy Point Estates.

© 2024 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

DATE:	AUGUST 9, 2024	DATE:	AMENDMENTS	BY	PREPARED FOR: CITY OF BREEZY POINT
SCALE:	AS SHOWN				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.  TYLER J POGREBA
DRAWN BY:	JLV				
CHECKED BY:	TJP				
FILE NUMBER:	2024-11364				DATE: 08/09/2024 LIC. NO. 60122

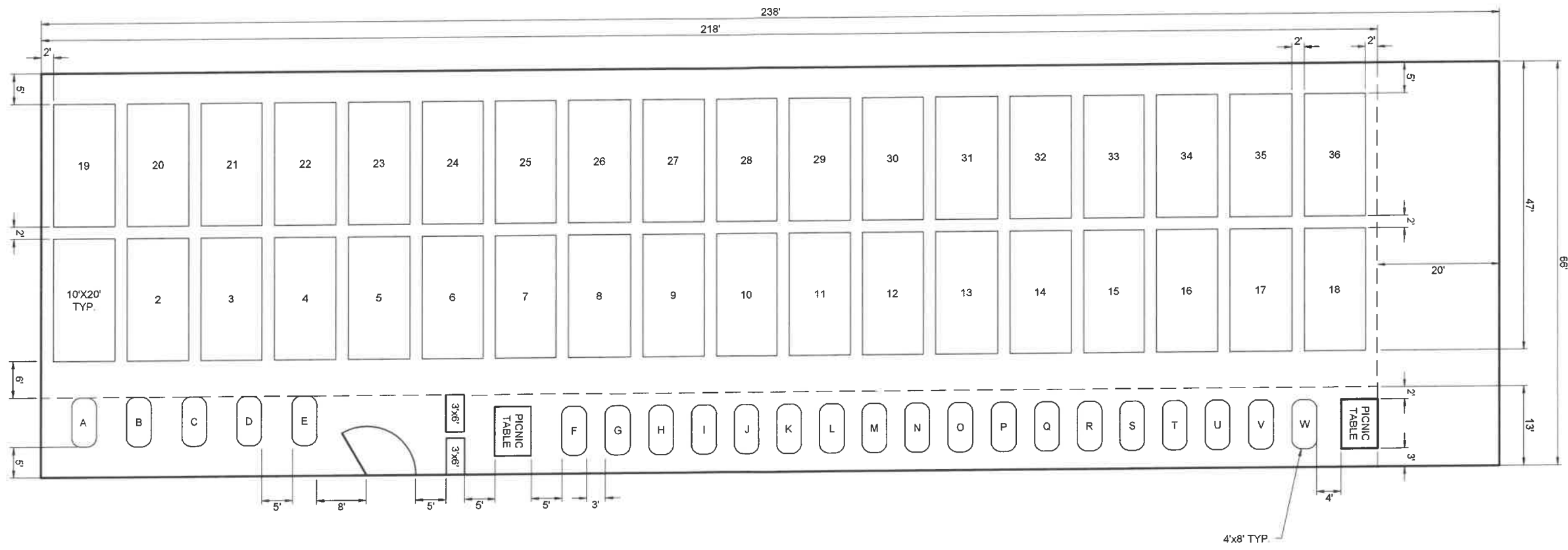
## WIDSETH

ARCHITECTS ■ ENGINEERS ■ SCIENTISTS ■ SURVEYORS

# BREEZY POINT COMMUNITY GARDEN

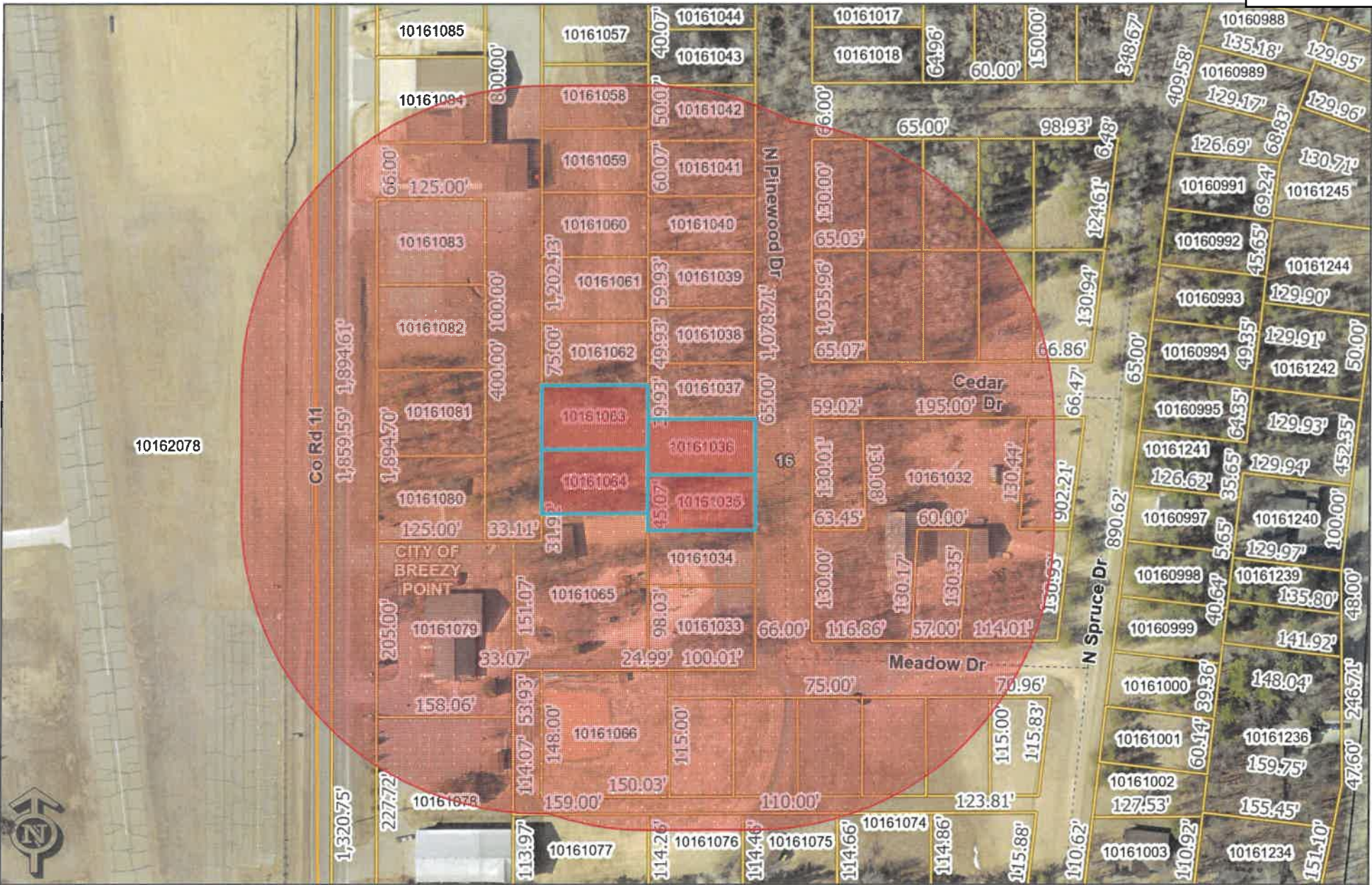


COUNTY ROAD 11  
↑



BREEZY POINT PARK  
↓

SCHEMATIC - NOT FOR CONSTRUCTION



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

City of Breezy Point  
Notice of Public Hearing  
Tuesday September 10, 2024, 7:00 p.m.  
Breezy Point City Hall

To Whom It May Concern:

Notice is hereby given that the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on Tuesday September 10, 2024 at 7:00 p.m. or shortly thereafter at Breezy Point City Hall, 8319 County Road 11, to consider the following;

Variance Application V-24-010  
B&C CONSTRUCTION LLC 8156 COUNTY ROAD 11 BREEZY POINT MN 56472. LOT 82 & 83, FOURTH ADDITION TO BREEZY POINT ESTATES. Parcel 10210849. Is requesting a variance from the minimum non-conforming lot size requirement of 16,000 SQFT to approximately 15,314 SQFT to construct a residential dwelling. Zoned R-3.

Variance Application V-24-011  
BRENDMUEHL, GREG 267 FRONT AVENUE ST PAUL MN 55117. LOT 3 BLOCK 3 BREEZY POINT ESTATES. Parcel 10162014. Is requesting a variance from the minimum non-conforming lot width requirement of 75 FT to 65.3 FT to construct a residential dwelling. Zoned R-3.

Conditional Use Application C-24-004  
CITY OF BREEZY POINT 8319 COUNTY RD 11 BREEZY POINT MN 56472. LOTS 32, 33, 60 & 61 THIRTEENTH ADDITION TO BREEZY POINT ESTATES. Parcels 10161063, 10161064, 1016036 & 10161035. Is requesting a conditional use permit to construct a fence exceeding 72 inches in height. Zoned Public.

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 that any property owner has been missed, or that our records are not correct.

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

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

Echo Journal August 28, 2024