Criteria Necessary for the Granting of a Variance; Updated *03/15/09*

Itasca County Environmental Services
Phone: (218) 327-2857
Fax: (218) 327-7331
Website: www.co.itasca.mn.us

Applicants are responsible to prove the following to the Planning Commission / Board of Adjustment:

A. The Board of Adjustment may authorize a variance from the terms of this Ordinance which will not be contrary to public interest, where owing to special conditions a practical difficulty or particular hardship would be created by carrying out the strict letter of the Ordinance and when the terms of the variance are consistent with the spirit and intent of this Ordinance and with the County's Comprehensive Land Use Plan.

B. "Hardship" as used in connection with the granting of a variance means that the property in question cannot be put to a reasonable use under the conditions allowed by this Ordinance; the plight of the landowner is due to circumstances unique to his/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 hardship if a reasonable use for the property exists under the terms of this Ordinance. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located.

C. This criteria will be asked of the applicant during the public hearing.

1. Without a variance, the owner would be deprived of a reasonable use of the property or is there a practical difficulty to the land owner such that the variance should be granted? (Economic considerations alone shall not constitute an "undue hardship" if reasonable use for the property exists under the official land use controls).
2. The circumstances which justify the variance are unique to the property, and not created by the applicant.
3. The variance will maintain the essential character of the locality.
4. The variance will be in keeping with the intent and general purpose of the official land use controls.

D. When in the opinion of the Board of Adjustment a variance may result in a material adverse effect on the environment, the applicant may be required by the Board of Adjustment to demonstrate the nature and extent of the effect.

E. It shall be the burden of the applicant to demonstrate sufficient hardship and/or practical difficulty to sustain the need for a variance. Absent a showing of hardship as provided in Minnesota Statutes and the Zoning Ordinance, the Board of Adjustment shall not approve any variance.

F. The Board of Adjustment may impose conditions in the granting of variance to insure compliance and to protect the environment, protect adjacent properties and the public interest.

G. In an application for development that includes a variance from the requirement for non-conforming lots of record in Section 4.2.3 that states, "Where two or more contiguous vacant lots or parcels are held by one owner and could be combined to meet or more nearly meet the minimum width, length and area requirements for a permitted use, the contiguous lots or parcels shall be combined and legally described as a single lot or parcel," the applicant must show:

1. That issuance of the variance will not unreasonably alter the building density of the locality;

2. That soil characteristics allow for safe and sanitary placement of the well and septic systems upon

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Phone: (218) 327-2857
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both the subject lot as well as lots or property within 100 feet of the subject lot; and

3. That placement of septic systems can be accomplished without causing pollution to wells, lakes, streams, rivers or other wetlands.

H. For existing developments, the application for a variance must clearly demonstrate whether a conforming sewage treatment system is present for the intended use of the property. The variance if issued must require reconstruction of a non-conforming sewage treatment system.

I. A variance from setback requirements must be obtained before any use, sewage treatment system or building permit is issued for a lot. In evaluating the variance, the Board of Adjustment shall consider sewage treatment and water supply capabilities or constraints of the lot and shall deny the variance if adequate facilities cannot be provided.

J. Lakeshore Mitigation. As a condition of issuance of certain permits, conditional uses and variances, measures shall be required to mitigate the impacts of developments, nonconforming structures or uses on lake water quality. Lakeshore mitigation requirements shall be determined according to the following: This information is to be submitted with the variance application.

1. Evaluate and upgrade ISTS to comply with the requirements of Minn. Rules, Chapts. 7080-7083 If the septic system needs to be certified, a time frame needs to be outlined indicating the date the permit/design shall be obtained and when the septic system shall be certified.
2. Erosion control, storm water management, and mitigation plan. This plan shall describe erosion control during/after construction, storm water management/runoff control and mitigation/buffer screening. The mitigation plan shall require a shoreline buffer which shall be in the shore impact zone and consist of trees, shrubs and ground cover of native plants and understory to effectively screen structure(s) as viewed from the waters. This may be accomplished by working with Itasca SWCD or other sources but said plan must be reviewed by Itasca SWCD. A shoreline buffer consisting of trees, shrubs and ground cover of native plants and understory shall be required as in following table:

Lake Class	Buffer (Distance from OHWL landward)
GD	10'
RD	15'
NE & PSL	50'

3. Plant materials for native vegetation buffers shall be as prescribed according to the landscape position, water table, soil type and exposure of the project site. For every 5,000 square feet of buffer are, there shall be a variety of types of native trees, shrubs, forbs, and grasses planted to achieve full coverage. The survival of planting materials must be maintained for a minimum of five years, so that the approved coverage plan is adhered to. This coverage plan may be inspected periodically to assure compliance.
4. Other mitigation practices may be required by Planning Commission / Board of Adjustment such as the use of exterior building materials that blend with natural vegetation.

ITASCA COUNTY

Courthouse
Environmental Services
123 NE 4th Street
Grand Rapids, MN 55744-2600
Office (218) 327-2857 Fax (218) 327-7331

July 13, 2017

Harris Township
Attn: Cari Ann Alleman, Clerk
21583 Keyview Dr.
Grand Rapids, MN 55744

Variance: Owner: Joseph Pelawa, 29313 Sunny Beach Addn. Grand Rapids, MN
Parcel# 19-600-0010 & 19-023-4105 (Pokegama Lake)

Dear Cari Ann:

Enclosed are a Variance application and the necessary shoreland mitigation measures for your Township's review and recommendation.

Once your Township has had a chance to review the application, please have your Chairperson sign, date, submit your recommendation and return variance application to our office. Please keep in mind that the criteria for making a recommendation is that the variance would not be contrary to public interest where a practical difficulty would be created by carrying out the strict letter of the ordinance. Practical difficulty means that the property cannot be put to a reasonable use under the conditions of the ordinance. The plight of the landowner is due to circumstances unique to the property, not created by the landowner and would not alter the character of the locality. Economic considerations alone shall not constitute a practical difficulty.

You are invited to participate in the public hearing which is scheduled for Wednesday, August 9, 2017 in the County Board Room of the Courthouse at 10:30 A.M. If you are interested in attending the site inspection, the date and time will be sent to you under separate cover.

Sincerely,

Rosann Bray

Rosann Bray
Environmental Service Specialist

Note: Joseph Pelawa: Please be informed that it is your responsibility to contact Harris Township regarding their procedures in submitting a recommendation. The clerk's number is 218/244-1811.

PCBA 05

Itasca County Variance Application (v.04.09.12)

Itasca County Environmental Services
123 NE 4th Street
Grand Rapids, MN 55744
Phone: (218) 327-2857
TDD: (218) 327-2806
Fax: (218) 327-7331

PERMIT #_____

APPLICANT/OWNER NAME(S): Joseph Pelawa

AGENT NAME: _____

MAILING ADDRESS: 20948 Davenport St. NE, East Bethel, MN 55011

PROPERTY ADDRESS: 29313 Sunny Beach Addn. Grand Rapids, MN 55744

PHONE: 763-286-2114 ALTERNATE PHONE: _____

PARCEL IDENTIFICATION NUMBER 19-600-0010; Lot 1, Plat:Urika Beach, S.23, 54-25
19-023-4105; W50' of Lot 8 Lying S of EXT of S Line of ded.rd of Urika Beach; S.23, 54-25

LEGAL DESCRIPTION: _____

SECTION: 23 TOWNSHIP: 54 RANGE: 25 TOWNSHIP NAME: Harris

ZONING DISTRICT: Rural Residential LAKE NAME/CLASS: Pokegama (GD)

THIS VARIANCE APPLIES TO 3.8.1.c & 5.4.11 SECTIONS OF THE ZONING ORDINANCE

(X) EXPLAIN REQUESTED VARIANCE NEED(S): Detailed description of practical difficulty, or reasons for the variance

See Attachment

*Attach additional sheets if necessary labeled "Variance Request"
*Please see the Criteria Necessary for the Granting of a Variance and, if applicable After the Fact Variance

IS THE VARIANCE REQUEST AFTER THE FACT? _____YES ___X___NO

(*) MANDATORY LAKESHORE MITIGATION: *(To be included with the variance application if applicable)*

A. Septic System: Certified_____; Shall be Upgraded _____with Permit/Design obtained by: July 2018 24 months from purchase
Certification of New Septic System by: _____

B. Erosion control, storm water management, and mitigation plan as shown in Variance Application Instructions. _____YES _____NO ___X___Not Applicable

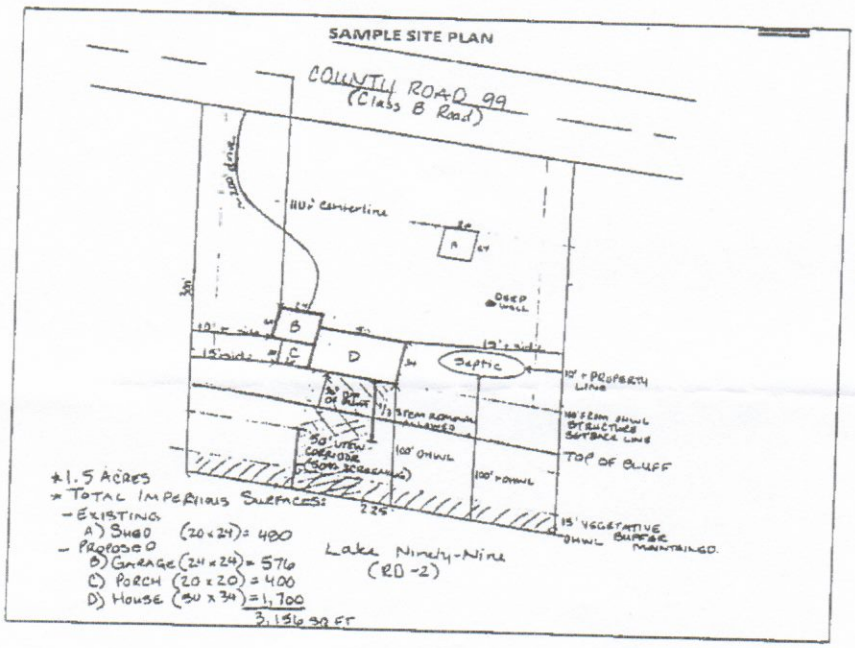
1) Plan to install erosion control measures as part of structure permit.
2) Shoreland stabilization/mitigation project completed July 2017

PCBA01

SITE PLAN SKETCH

See Attachment

EXAMPLE SITE PLAN SKETCH



***You must include all buildings, existing and proposed, on your property and label them. You must include all dimensions (including height) of the buildings as well as all setbacks to property lines, lakes or rivers, roads, and any other pertinent setbacks. Indicate slope of property with arrow(s).**

Site Inspection: The applicant acknowledges that no one can be prohibited from coming onto the property when the site is inspected by the Board of Adjustment.

PCBA ola

Upon approval of this variance, it shall be the responsibility of the applicant to notify the Environmental Services Department, upon completion of their project, including any conditions. The property may be inspected at any time to assure and affirm all conditions and terms of the permit are in compliance.

(*) SIGNATURE_____ DATE 7-10-17

FOR OFFICE USE:
On 7-12-17, the Environmental Services Department received the completed application, accompanying information and the fee is paid in full. Also the Applicant or Agent has been given a copy of the information handout that addresses their responsibility for the variance processing.

PERMIT APPROVAL: In accordance with MS#15.99, Itasca County must approve or deny the variance application within 60 days of submission of the completed application/fee. If said application is denied, the reason/s must be stated in writing at the time of denial. This time line may be extended by Itasca County for another 60 days provided the applicant/s receive written notice with reasons for the extension. The extension may not exceed 60 days unless approved by the applicant. The 60 days will end on: September 10, 2017.

On _____ Planning Commission/BoA authorized an extension for the following reasons with an expiration date of:

_____

AUTHORIZING SIGNATURE_____ DATE_____

On _____, the applicants hereby waive the time frame requirements set forth in MS#15.99:

APPLICANT SIGNATURE_____ DATE_____

Witness:_____

RECOMMENDATIONS:

TOWN BOARD OF _____ APPROVAL CHAIR_____

OR AMEND DATE_____

UNORGANIZED TOWNSHIP REJECTION COMMISSIONER_____

REASONS:_____

DECISION: *The Board may impose conditions in the granting of a variance to insure compliance, to protect the environment, and to protect adjacent properties and the public interest, but any and all conditions must be directly related to and must bear a rough proportionality to the impact created by the variance.*

On _____the Board of Adjustment, unanimously/ majority vote APPROVED AMENDED DENIED a variance for:

_____

_____

(Description of Variance and conditions or reasons for denial)

_____ DATE_____

Chairperson – Itasca County Planning Commission/Board of Adjustment

*Approval includes the findings of fact and compliance with all County, State and Federal Rules, Regulations and Statutes as required by law. In accordance with Section 18.4 of the Zoning Ordinance, an appeal to District Court may be filed within 30 days after the receipt of notice of the decision.

PCBA 01b

Itasca County Environmental Services
Courthouse
123 NE 4th Street
Grand Rapids, MN 55744
Phone: (218) 327-2857
TDD: (218) 327-2806
Fax: (218) 327-7331
Website: www.co.itasca.mn.us

CHECKLIST

Information required at the time of submission to process Variance Applications

X **Completed Application**

X **Detailed Sketch**

X **Fee $475**

X **Stake Out Site**—all proposed structures/additions must have corner stakes

To be completed within purchase timeline of July 7, 2018 or sooner with structure permit. **Certification of SSTS** – Evaluate and upgrade SSTS to comply with the requirements of Minnesota Rules Chapter 7080-7083.

X **Mandatory Lakeshore Mitigation Plan, if within Shoreland zoning district.**

X **Answers to Findings of Fact and Criteria Necessary for Granting or Denying a Variance, and other applicable questions.**

QUESTIONS AND FURTHER INFORMATION: Please contact Environmental Services, 8:00 a.m. - 4:30 p.m., M-F.

I have read and fully understand the above instructions.

SIGNATURE [signature] DATE 7-10-17

PCBA o/c

Rosann Bray
Environmental Services Specialist
Itasca County Courthouse
123 NE 4th Street
Grand Rapids, MN 55744
Phone: 218/327-7466
Fax# 218/327-7331

Variance Request: PIN # 19-600-0010,
29313 Sunny Beach Addition Road, Grand Rapids, MN 55744

Water Accessory Structure - side yard setback reduction.
The existing features at the Southeast corner of the parcel place restrictions on building width to fit a structure between the property line and existing stairs downhill to the lake. Request the side yard setback be reduced from 10 feet to 6 feet to accommodate sufficient building width for practical use to store fishing and water accessories.

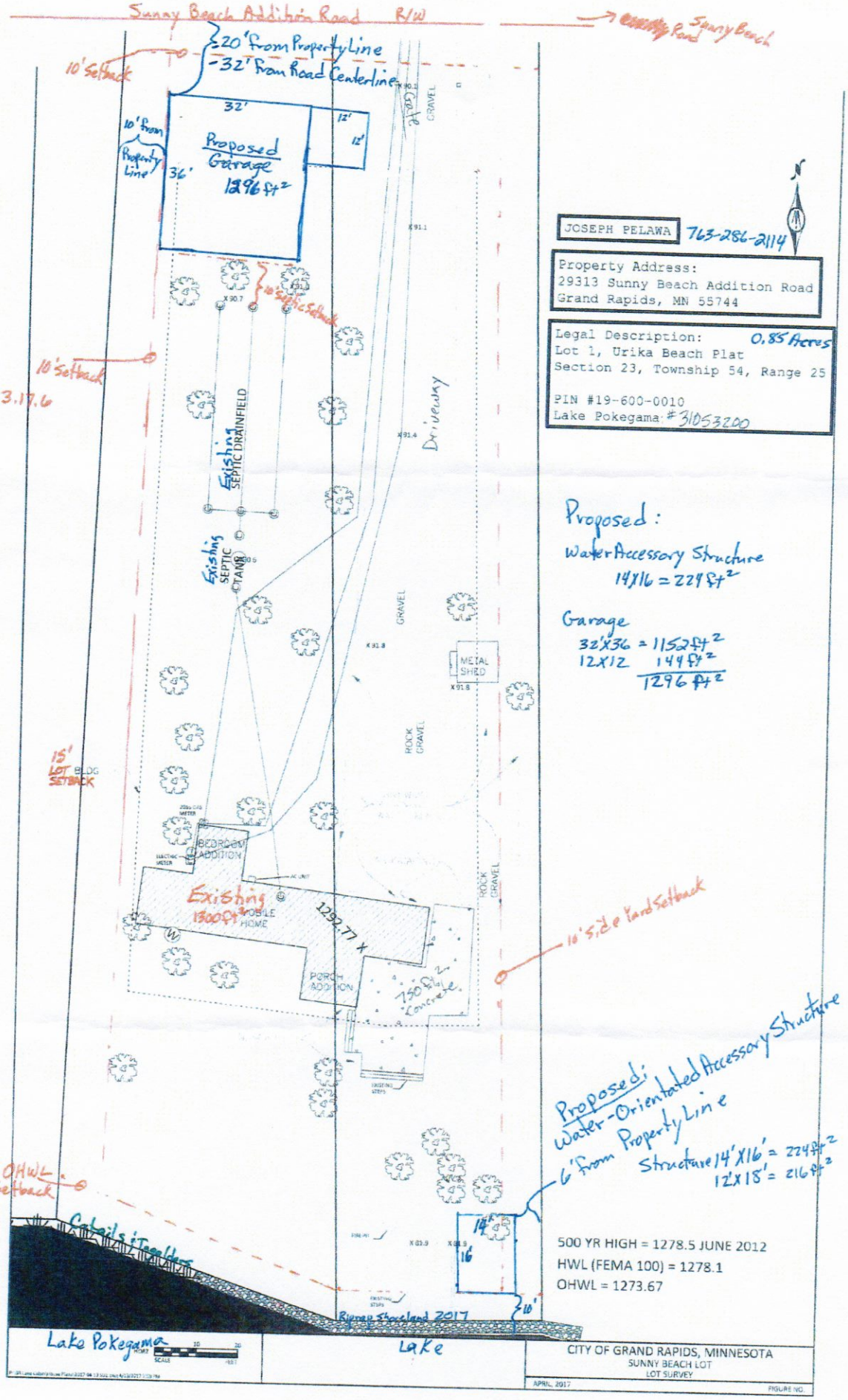
Detached Garage Structure - property line setback from road.
The existing Sunny Beach Addition Road was constructed on the property line and not centered within the platted right of way. This gives the appearance that the proposed building is close to the road. Request the setback be reduced to 32 feet from road centerline to accommodate sufficient building depth to meet other ordinance setbacks from septic and adjacent property owners for practical use of property and allow maintaining woodland cover between the road and building structure.

Granting of these variances will not change the essential character of the location or create a detriment to the neighbors.

The use of the property will remain the same consistent with current zoning and use.

I feel the variance will be consistent with the spirit and intent of Itasca County Zoning Ordinance and Land Use Plan. No environmental impacts are anticipated as part of these proposed structures.

PCBA old


Sunny Beach Addition Road R/W
Sunny Beach Road
20' from Property Line
32' from Road Centerline
10' Setback
32'
12'
12'
10' from Property Line
36'
Proposed Garage 1296 ft²
Gate
GRAVEL
10' Septic Setback
10' Setback
3.17.6
Existing SEPTIC DRAINFIELD
Existing SEPTIC TANK
Driveway
GRAVEL
METAL SHED
ROCK GRAVEL
15' LOT BLDG SETBACK
BEDROOM ADDITION
Existing 1300 ft² MOBILE HOME
1292.77 X
PORCH ADDITION
750 ft² Concrete
10' Side Yard Setback
10' OHWL Setback
Cattails & Toadlers
14'
16'
10'
Riprap Shoreland 2017
Lake Pokegama
Lake
JOSEPH PELAWA 763-286-2114
Property Address:
29313 Sunny Beach Addition Road
Grand Rapids, MN 55744
Legal Description: 0.85 Acres
Lot 1, Urika Beach Plat
Section 23, Township 54, Range 25
PIN #19-600-0010
Lake Pokegama #31053200
Proposed:
Water Accessory Structure
14X16 = 224 ft²
Garage
32'X36 = 1152 ft²
12X12 144 ft²
1296 ft²
Proposed:
Water-Orientated Accessory Structure
6' from Property Line
Structure 14'X16' = 224 ft²
12'X18' = 216 ft²
500 YR HIGH = 1278.5 JUNE 2012
HWL (FEMA 100) = 1278.1
OHWL = 1273.67
CITY OF GRAND RAPIDS, MINNESOTA
SUNNY BEACH LOT
LOT SURVEY
APRIL, 2017
FIGURE NO.

PCBA 02

DATE: 7/14/2017

Joseph Pelawa
20948 Davenport st. NE
East Bethel, MN 55011

ITASCA COUNTY, MINNESOTA

has made application for a VARIANCE permit for the property described as: #19-600-0010; Lot 1, Plat: Urika Beach S.23, 54-25
#19-023-4105; W50' of Lot 8 Lying S of EXT of S Line of ded.rd of Urika Beach S.23, 54-25

THIS VARIANCE WOULD ALLOW: Applicant to construct proposed detached garage be located closer to road, due to the placement of an existing septic system and driveway limits the garage site. Proposed Boathouse(Water-Oriented Accessory Structure) be located closer to side property line due to existing stairs going to lake. All other setbacks will meet the requirements. A variance is required due to the size of lot, the layout and landscape of the property; which limits the required setbacks.

You are being notified of the impending action so that you may appear, or notify this office, your concern, if any, regarding this VARIANCE application at the public hearing. A copy of the staff report for this application is available by contacting the Itasca County Zoning Department, five days prior to said hearing. Also, information to be presented to the Board, must be submitted to the Zoning Office five days prior to the hearing.

Joseph Pelawa **is responsible for contacting** Cari Ann, **Clerk of** Harris **Township at** 218-244-1811 **for their recommendations which are to be forwarded to the Board of Adjustment. NOTE: Interested Property Owners may also contact the Township for further information on the Township's recommendation.**

NOTICE OF HEARING: The public hearing of the Itasca County Planning Commission/Board of Adjustment will commence at 10:30am **in the Board Room of the Itasca County Courthouse, Grand Rapids MN 55744, on the** 9th **day of** August, 2017. **NOTE: Once an agenda has been prepared, you may contact the Zoning Office to find out an 'approximate time' that this particular matter will be considered by the Board. Interested individuals must monitor the posted agenda and be available and prepared to proceed when the above matter is considered by the Board.**

If special accommodations are necessary for you to participate in this meeting, please contact the Zoning Office at 218/327-2857 or 218/327-2806 (TDD) as soon as possible so necessary arrangements may be made.

Decisions of the [Board of Adjustment] shall be final unless an appeal of that decision is filed within thirty days, after receipt of notice of the decision, to District Court in Itasca County on questions of law and fact.

Sincerely,

Dan Swenson, Environmental Services Director
123 NE 4th Street, Grand Rapids, MN 55744
218/327-2857; FAX: 218/327-7331

PCBA 06

If special accommodations are necessary for you to participate in this hearing/s, please contact the Environmental Services Department at 218/327-2857 or 218/327-2806 (TDD) as soon as possible so necessary arrangements may be made.

In accordance with Section 18.4.1 of the Itasca County Zoning Ordinance, the Planning Commission's or County Board's decision on a conditional use shall be final. However, any aggrieved person shall have the right of appeal, after obtaining a writ of certiorari from Court of Appeals within 60 days as prescribed by law.

Sincerely,

Dan Swenson, Environmental Services Director
123 NE 4th Street, Courthouse, Grand Rapids MN 55744
218/327-2857; FAX: 218/327-7331

HARRIS

T.54N-R.25W

See 55-25 Page 23

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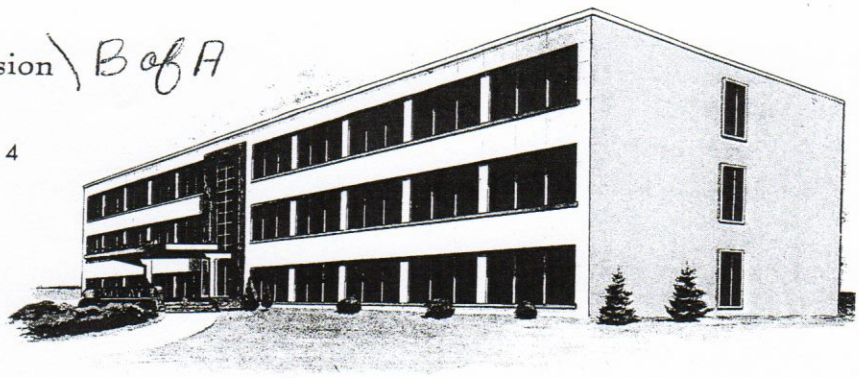
Road Name	Section	Road Name	Section	Road Name	Section	Road Name	Section	Road Name	Section	Road Name	Section
Adair Rd	22	Chippewa Dr (6.)	6	Harbor Heights Rd	8	Mishawaka Rd	5	Pineridge Ln	4	Sunset Dr (24.)	11
Airport Rd	3	Co Rd 3	1	Harris Town Rd	9	Mishawaka Shores Cir	7	River Rd	2	Sunset Ln (23.)	11
Alida Pl	24	Co Rd 17	30	Hauser Rd	9	Mishawaka Shores Dr	7	River Ridge Dr (25.)	1	Tolerick Rd	18
Alida Spur (9.)	23	Co Rd 64	2,4	Hidden Point Trl	24	Mishawaka Shores Trl	7	River View Dr	1	Underwood Rd	14
Anchor Rd	22	Co Rd 66	20,23	Hughes Rd	27	Mohawk Dr (4.)	6	Robinson Rd	23	US Hwy 169	5,30
Apache Dr (3.)	6	Co Rd 67	13,31,33	Isleview Rd (1.)	6	Mornes Rd	2	Romans Rd (17.)	24	Verde Ln	4
Ashley Ln	14	Co Rd 91	12	Jane Ln	33	N Mishawaka Shores Dr	7	Root Rd	13	Victory Ln	4
Aspen Dr	10	Co Rd 250	19	Keyview Dr	1	Nancy Dr (15.)	24	Rudys Rd (18.)	25	Vroman Rd	27
Aspen Trl	10	Co Rd 437	18	Lakeshore Dr	25	Natureview Ln	10	Ruff Shores Rd	16	Wagon Wheel Court	29
Badger Rd (13.)	24	Co Rd 455	33	Lakeview Dr	8	Norberg Dr	1	S Crystal Springs Rd	30	Wendigo Heights Rd	22
Bayview Pl	25	Co Rd 457	3	Lakeview Trl	8	Norway Rd	22	Schmidt Rd	23	Wendigo Park Cir	24
Bear Creek Rd	31	Crystal Springs Lp	7	Laplant Rd	17	Old Point Comfort Ln	22	Shadywood Rd	19	Wendigo Park Rd	13
Bears Way	10	Crystal Springs Rd	7	Little Crystal Springs Ln	18	Pennala Rd	2	South Pit Rd	4	Wendigo Rd	24
Bethany Rd	23	Diamond Rd	18	Little Crystal Springs Rd	7	Perky Ln	22	Southwood Rd	16	Wesleyan Dr (22.)	11
Birch Hill Dr	1	E Harris Rd	12	Lucy Ln	24	Pine Crest Rd (21.)	12	Stony Point Rd	7	Westwood Ln (19.)	12
Birch St (2.)	6	Field Crest Rd	11	Lundquist Rd	3	Pine Landing Dr	17	Sunny Beach	23	Westwood Rd (20.)	12
Boxwood Rd (12.)	23	Forest View Trl	22	Melody Rd	7	Pine St (7.)	6	Sunny Beach Cir	16	Winnebago Dr (5.)	6
Breezy Ln (14.)	24	Gary Dr	18	Metzenhuber Rd	25	Sunny Ln	4	Sunny Beach Rd (16.)	24	Woodbine Ln	20
Brianwood Rd (11.)	23	Golf Crest Dr	11							Woodland Park Rd	7
Carol St	12	Hale Lake Dr (8.)	23								

Itasca County Planning ~~Advisory~~ Commission \ B of A

COURTHOUSE

GRAND RAPIDS, MINNESOTA 55744



Date: July 14, 2017

To: Joseph Pelawa
20948 Davenport st. NE
East Bethel, MN 55011

RE: 29313 Sunny Beach Addn., Grand Rapids, MN 55744
Parcel #19-600-0010; Lot 1, Plat: Urika Beach S.23, 54-25
Parcel #19-023-4105; W50' of Lot 8 Lying S of EXT of S Line of ded.rd of Urika Beach. S.23, 54-25

Please be informed that the Itasca County Board of Adjustment will view the above site on August 9, 2017 AT ~~between~~ 9:15am.

The Board of Adjustment will review the variance application on August 9, 2017 in the County Board Room of the Courthouse.

The meeting begins at 10:30am and a representative must be present to address the application.

Any questions, please contact the Zoning Office at 218/327-2857.

Sincerely,

Diane Nelson

Corresponding and Recording Secretary

dn

cc: Harris Township Clerk
SWCD, Andy Arens
DNR Waters, Rian Reed
DNR Forestry, Deer River

Pokegama Lake Association, Patty Gould st. Auben

PCBA 04

AGUIRRE, ROBERTO & LEONOR
19-023-1406
4527 ALDRICH AVE N
MINNEAPOLIS MN 55412

CASPER, EDWARD A & SUSAN M
19-620-0170
29137 SUNNY BEACH ROAD
GRAND RAPIDS, MN 55744

KEILEN, WILLIAM J & APRIL M
19-600-0090
29377 SUNNY BEACH ADDN RD
GRAND RAPIDS MN 55744

POLOVINA, BRIAN L & RIEANNE M
19-620-0201
29127 SUNNY BEACH RD
GRAND RAPIDS MN 55744

STUNYO, GEORGE & BRENDA
19-600-0070
29345 SUNNY BEACH RD
GRAND RAPIDS MN 55744

ANDERSON, DEAN F & DIANNE G TRUST
19-023-4102
2617 PIERCE AVE
AMES IA 50010

FOX, DEREK & THERESA
19-600-0020
29329 SUNNY BEACH ADDN RD
GRAND RAPIDS MN 55744

LIBBEY, RICHARD & DONNA
19-023-1305
18603 HALE LAKE DRIVE
GRAND RAPIDS MN 55744

REED, GEORGE W
19-023-4108
29183 SUNNY BEACH RD
GRAND RAPIDS MN 55744

BARTOS, BRUCE A
19-023-4107
29215 SUNNYBEACH ROAD
GRAND RAPIDS MN 55744

HALE, MARK & GINA
19-023-1416
PO BOX 5045
GRAND RAPIDS MN 55744

POLLEY, JOHN S & CARYN L
19-023-1307
28990 SHOAL LAKE DRIVE
GRAND RAPIDS MN 55744

STITT, CYNTHIA
19-600-0030
29339 SUNNY BEACH RD
GRAND RAPIDS MN 55744

Harris Twp. clerk
DNR waters Rian Reed 1201 E Hwy 2
SWCD - Andy Arens 1889 E Hwy 2
DNR Forestry - Box 157 D.R.
~~Feola - Tom Nelson 36841 Sherwood Forest D.R.~~
Pokegama Lake Assoc. - Patty Gould St. Auber
PO Box 381
G.R.

Easy Peel® Labels
Use Avery® Template 5160®
Feed Paper
Bend along line to expose Pop-up Edge™
AVERY® 5160®

ITASCA COUNTY

Courthouse
Environmental Services
123 NE 4th Street
Grand Rapids, MN 55744-2600
Office (218) 327-2857 Fax (218) 327-7331

July 13, 2017

Harris Township
Attn: Cari Ann Alleman, Clerk
21583 Keyview Dr.
Grand Rapids, MN 55744

RE: Rezone – Grand Rapids Properties LLC;
21676 Us 169
Grand Rapids, MN 55744

Location: N660' of W825' of SE NE; S.5, 54-25 Parcel #19-005-1402

Dear Cari Ann:

Enclosed is a Rezone application for your Township's review and recommendation.

Once your Township has had a chance to review the application, please have your chairperson sign, date, submit your recommendation and return the application to our office. Please keep in mind the criteria from our Zoning Ordinance when making a recommendation which is located on page 2 of the application.

You are invited to participate in the public hearing which is scheduled for Wednesday, August 9, 2017 in the County Board Room of the Courthouse at 10:30 A.M. If you are interested in attending the site inspection, the date and time will be sent to you under separate cover. Also, notice of County Board Hearing will commence at 2:30pm in the Board Room of the Itasca County Courthouse on the 15th day of August 2017.

If you require additional information, please don't hesitate to contact our office.

Sincerely,

Rosann Bray
Environmental Services Specialist

Note: Joe Dumond: Please be informed that it is your responsibility to contact Harris Township regarding their procedures in submitting a recommendation. The Clerk's number is 218-244-1811.

Equal Opportunity Employer

DATE 7/8/2017 PHONE # 218-546-1914 office PERMIT #

ITASCA COUNTY APPLICATION TO AMEND ZONING MAP/REZONE

APPLICANT/ADDRESS GRAND RAPIDS PROPERTIES LLC / PO BOX 323 BRAINERD MN 56401

AGENT/ADDRESS JOE DUMOND (RICE LAKE CONST. GROUP) / PO BOX 517 DEERWOOD MN 56444

PROPERTY ADDRESS 21676 US-169 GRAND RAPIDS MN 55744

PROPERTY DESCRIPTION/PARCEL # 19-005-1402, N660' of W825' of SE NE; S.5, 54-25

LAKE NAME/CLASS N/A (not within 1000' of Lake) EX. USE FARM RESIDENTIAL

ZONING DISTRICT [EXISTING]

FARM RESIDENTIAL

ZONING DISTRICT [PROPOSED]

LIGHT INDUSTRIAL COMMERCIAL

Reason for Proposed Amendment or Zone Change CONSTRUCT A CAR DEALERSHIP.

Attach to this form a map showing property location, all properties within 300', dimensions of existing and proposed buildings, all streets and roads, North direction and any other information pertinent to this request.

SITE INSPECTION: A site inspection shall be made by the Board and the applicant acknowledges that no one can be prohibited from coming onto the property X Yes. The applicant chooses a site inspection by staff X Yes.

SIGNATURE/DATE: 7/8/17

On 7-11-2017 the Zoning Office received the completed application, accompanying information and the fee is paid in full

PERMIT APPROVAL: In accordance with MS#15.99, Itasca County must approve or deny the variance application within 60 days of submission of the completed application/fee. If said application is denied, the reason/s must be stated in writing at the time of denial. This time line may be extended by Itasca County for another 60 days provided the applicant/s receive written notice with reasons for the extension. The extension may not exceed 60 days unless approved by the applicant. The 60 days will end on: September 9, 2017.

On _____ Planning Commission/BoA authorized an extension for the following reasons with an expiration date of: _____

Authorizing Signature and Date: _____

On _____ the applicants hereby waive the time frame requirements set forth in MS#15.99:

_____ Witness: _____

Signatures

RECOMMENDATION

TOWN BOARD OF _____ APPROVAL CHAIR_____

OR AMEMD DATE_____

UNORGANIZED TOWNSHIP REJECTION COMMISSIONER_____

REASONS:_____

Amendments to the Zoning Map/Rezone shall be recommended for approval to the County Board upon finding by the Planning Commission that all of the following conditions exist:

1. The proposed zoning does not substantially conflict with the Itasca County Comprehensive Plan.
2. The proposed zoning shall not be spot zoning, which is zoning to discriminate in favor of one lot or parcel out of context with surrounding lots or parcels.
3. The original zoning was inconsistent with the comprehensive or land use plan; or an error was made in th comprehensive or land use plan which should be corrected along with the zoning; or substantial changes have occurred in the community since the adoption of the comprehensive or land use plan, which should result in the plan/s and the zoning being amended.
4. A clear public need for and benefit from the proposed rezoning shall exist beyond any benefit or convenience to the land owner.

RECOMMENDATION:

On _____ the Planning Commission/Board of Adjustment, unanimously/ majority vote recommends, to the County Board of Commissioners, APPROVAL AMENDMENT REJECTION of the map amendment/rezone submitted by_____

_____

Chairperson – Itasca County Planning Commission/Board of Adjustment

On_____ the County Board of Commissioners unanimously/ majority vote recommends APPROVAL AMENDMENT REJECTION of the map amendment/rezone submitted by_____

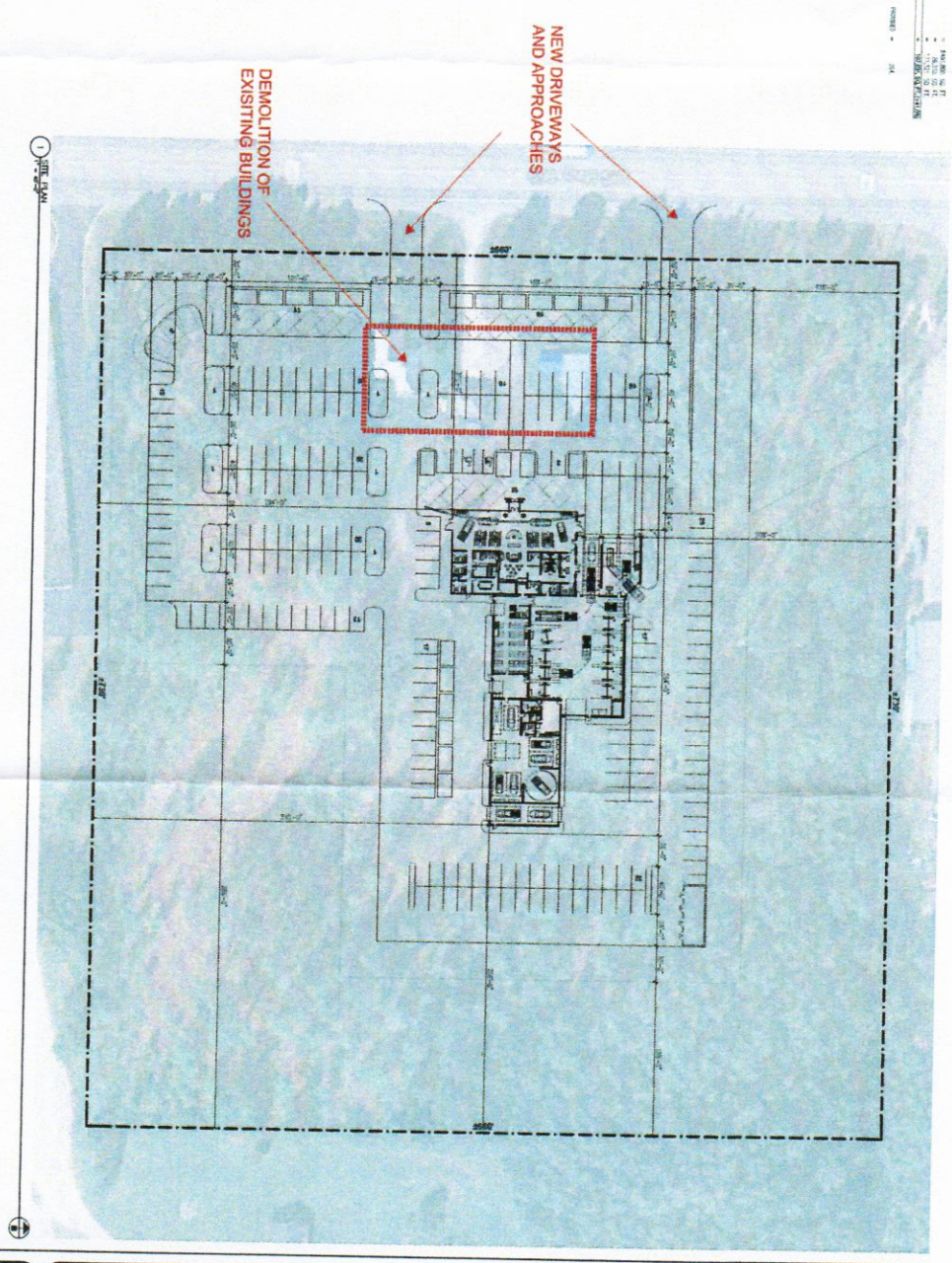
_____

Chairperson – Itasca County Board of Commissioners

Approval includes the findings of fact and compliance with all County, State and Federal Rules, Regulations and Statutes as required by law.

In accordance with Section 18.4 of the Zoning Ordinance , all decisions by the County Board shall be final. Judicial review of these decisions by injunction, mandamus, declaratory judgment or other remedy shall be in the manner prescribed by law.

Amendment/Rezone Application for:



Project	1719
Date	6/21/2017
Scale	AS INDICATED

SITE PLAN

AS-101

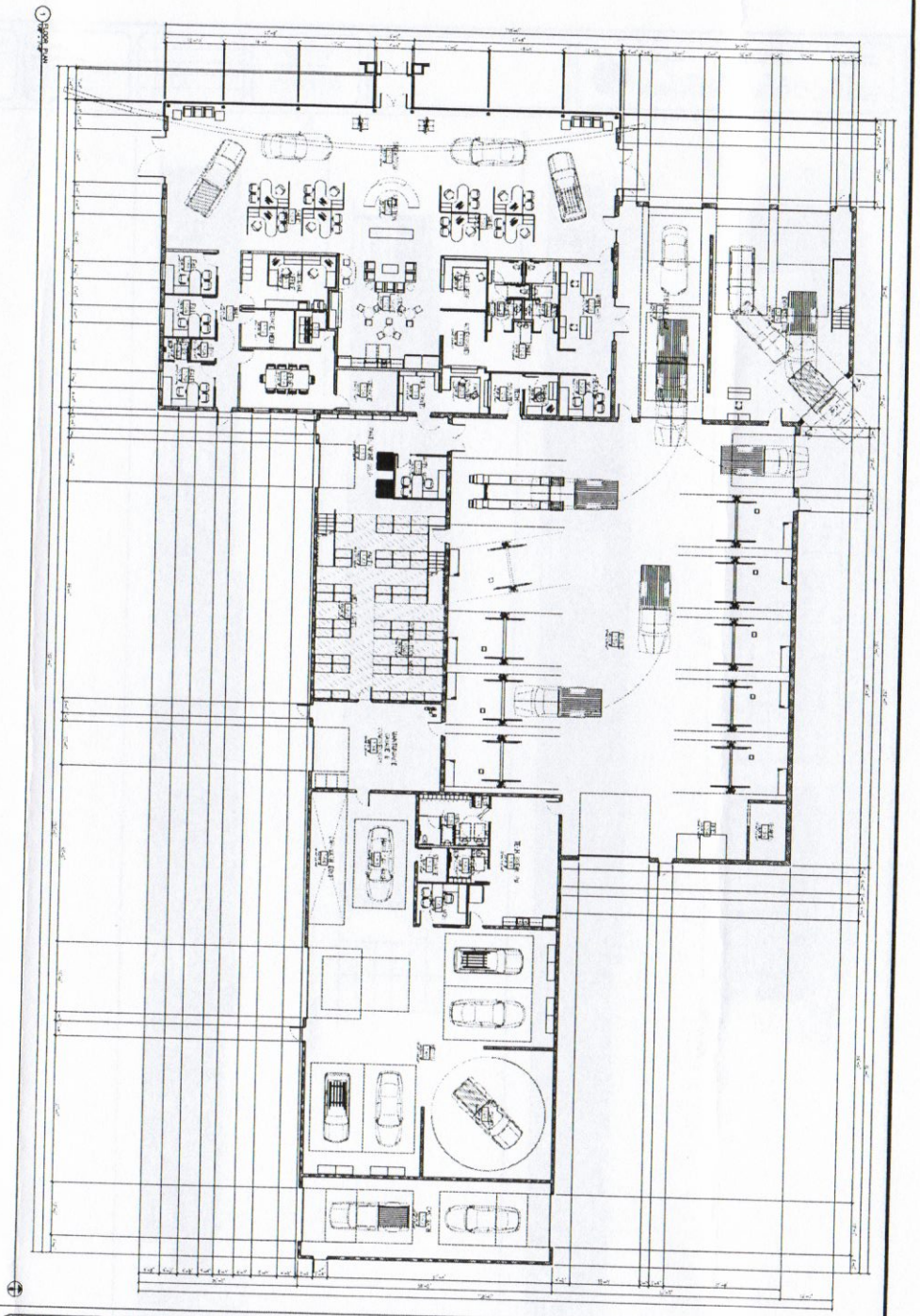
Project Name and Address
DONDELINGER FORD
GRAND RAPIDS, MN
C/O RICE LAKE CONSTRUCTION
MIKE CARPENTER
218-546-1910

No	Revision/Issue	Date

PRELIMINARY
NOT FOR
CONSTRUCTION

Form Name and Address

MAHLER & ASSOCIATES
ARCHITECTURE
Graeme H.D. Mahler, AIA
Principal
325 N. 35RD AVE. SUITE 107
St. Cloud, MN 56303
TEL: (320) 257-2724
FAX: (320) 257-2726



A-101

1719

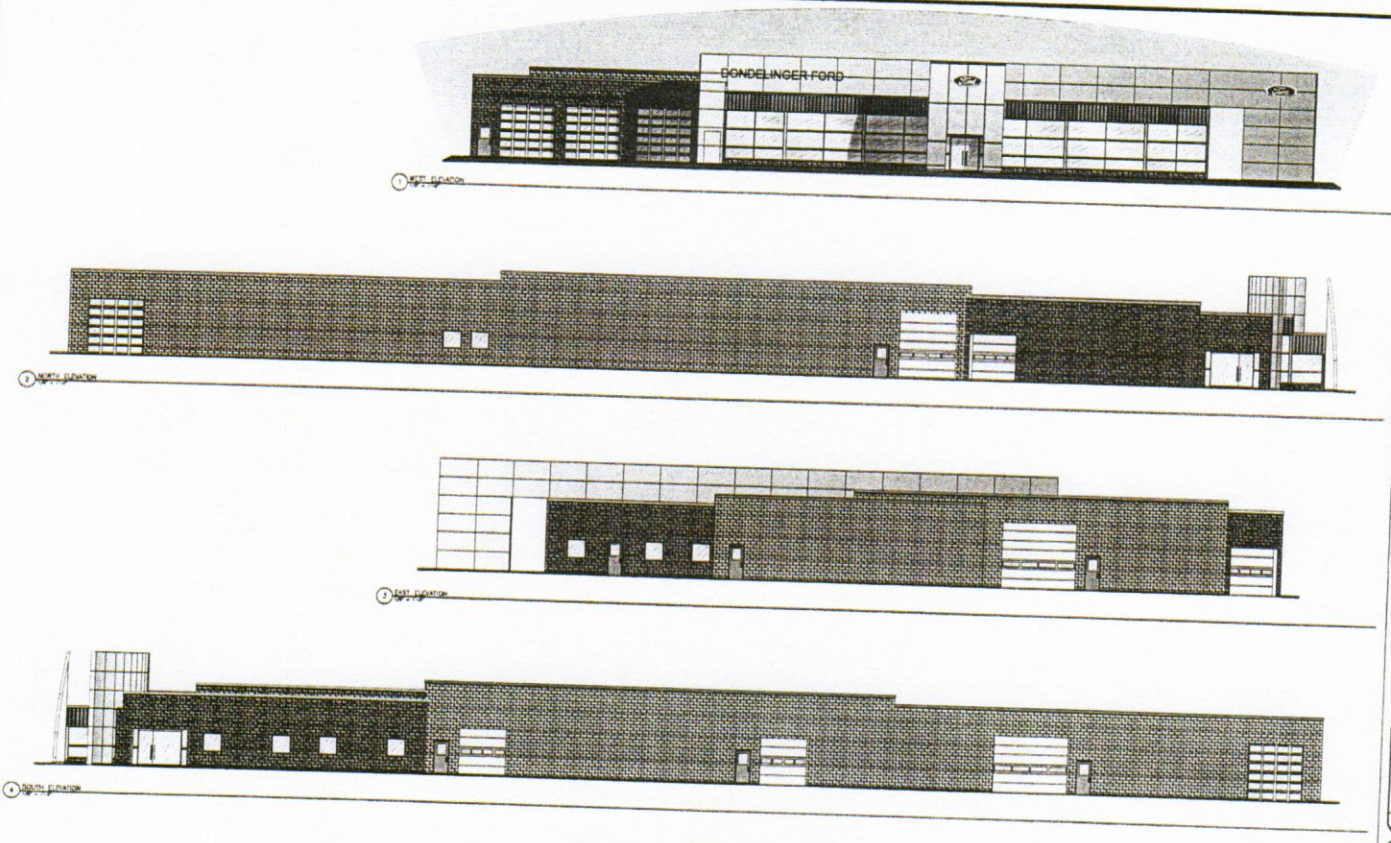
4.01.2017

AS INDICATED

DONDELINGER FORD
GRAND RAPIDS, MN
C/O RICE LAKE CONSTRUCTION
MIKE CARPENTER
218-546-1910

PRELIMINARY
NOT FOR
CONSTRUCTION

MAHLER & ASSOCIATES
ARCHITECTURE



MAHLER & ASSOCIATES
ARCHITECTURE

A-201

GUIDELINES FOR AMENDMENTS TO THE ZONING MAP

Applicant: Grand Rapids Properties LLC, Po Box 323, Brainerd, MN 56401
Agent: Joe Dumond(Rice Lake Const. Group) Po Box 517 Deerwood, MN 56444
Property Location: 21676 US 169, Grand Rapids, MN 55744

Present Zone District: Farm Residential Proposed Zoning District: Light Industrial Commercial

Amendments to the Zoning Map shall be recommended for approval, to the County Board, upon findings by the Planning Commission that all of the following conditions exist:

1. The proposed zoning does not substantially conflict with the Itasca County Comprehensive Plan. Why or Why not:

2. The proposed zoning shall not be spot zoning, that is zoning that discriminates in favor of one lot or parcel out of context with surrounding lots or parcels. Why or Why not:

3. The original zoning was inconsistent with the comprehensive plan; or an error was made in the comprehensive plan which should now be corrected along with the zoning; or substantial changes have occurred in the community which should result in the comprehensive plan and the zoning being amended. Why or Why not:

4. A clear public need for and benefit from the proposed rezoning shall exist beyond any benefit or convenience to the landowner. Why or Why not:

Recommendation to County Board:

Approval

Rejection

Chairperson of the Planning Commission/BoA Date

ITASCA COUNTY
Planning Commission/Board of Adjustment

COURTHOUSE
123 NE Fourth Street
Grand Rapids, MN 55744
Office (218) 327-2857

Fax (218) 327-7331

Date: July 17, 2017

To: Grand Rapids Properties LLC
Po Box 323
Brainerd, MN 56401

Agent: Joe Dumond
(Rice Lake Const. Group)
Po Box 517
Deerwood, MN 56444

RE: N 660' of W825' of SE NE: S.5, 54-25 Parcel #19-005-1402

Please be informed that the Itasca County Board of Adjustment will view the above site on August 9, 2017 at 8:45am, and a representative must be present to address the application.

The Board of Adjustment will review the variance application on August 9, 2017 in the County Board Room of the Courthouse.

The meeting begins at 10:30am and a representative must be present to address the application.

Any questions, please contact the Environmental Services Department at 218/327-2857.
Sincerely,

Dian Nelson
Corresponding and Recording Secretary
dn

CC: SWCD
MNDOT-District I (Jeff Tillman)
DNR Forestry
Harris Township Clerk

HARRIS

T.54N-R.25W

See 55-25 Page 23

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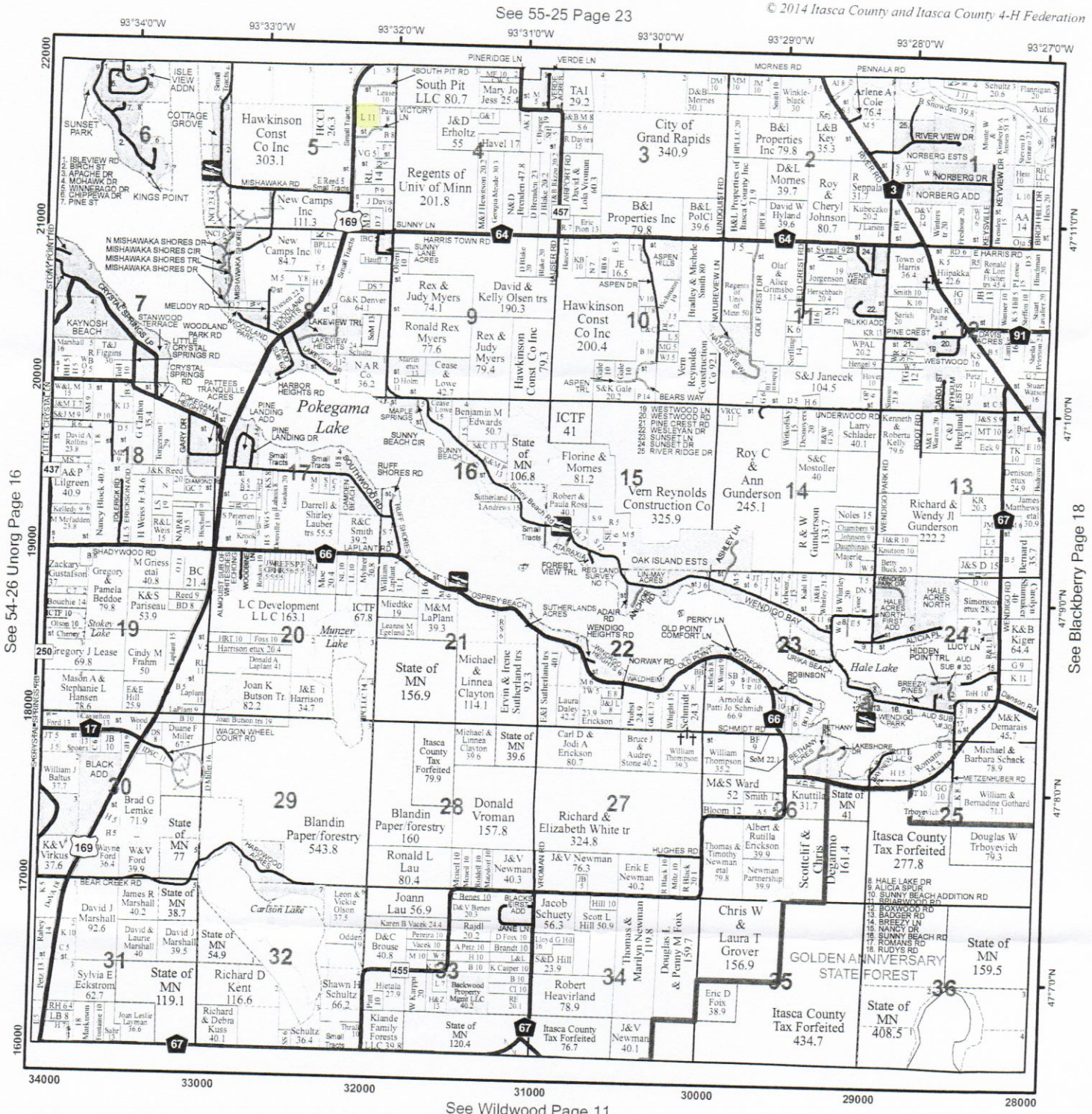


Road Name	Section	Road Name	Section	Road Name	Section	Road Name	Section	Road Name	Section	Road Name	Section
Adair Rd	22	Chippewa Dr (6.)	6	Harbor Heights Rd	8	Mishawaka Rd	5	Pineridge Ln	4	Sunset Dr (24.)	11
Airport Rd	3	Co Rd 3	1	Harris Town Rd	9	Mishawaka Shores Cir	7	River Rd	2	Sunset Ln (23.)	11
Alida Pl	24	Co Rd 17	30	Hauser Rd	9	Mishawaka Shores Dr	7	River Ridge Dr (25.)	1	Tolerick Rd	18
Alida Spur (9.)	23	Co Rd 64	2,4	Hidden Point Trl	24	Mishawaka Shores Trl	7	River View Dr	1	Underwood Rd	14
Anchor Rd	22	Co Rd 66	20,23	Hughes Rd	27	Mishawaka Shores Dr	7	Robinson Rd	23	US Hwy 169	5,30
Apache Dr (3.)	6	Co Rd 67	13,31,33	Isleview Rd (1.)	6	Mohawk Dr (4.)	6	Romans Rd (17.)	24	Verde Ln	4
Ashley Ln	14	Co Rd 91	12	Jane Ln	33	Mornes Rd	2	Root Rd	13	Victory Ln	4
Aspen Dr	10	Co Rd 250	19	Keyview Dr	1	N Mishawaka Shores Dr	7	Rudys Rd (18.)	25	Vroman Rd	27
Aspen Trl	10	Co Rd 437	18	Lakeshore Dr	25	Nancy Dr (15.)	24	Ruff Shores Rd	16	Wagon Wheel Court Rd	29
Badger Rd (13.)	24	Co Rd 455	33	Lakeview Dr	8	Natureview Ln	10	S Crystal Springs Rd	30	Wendigo Heights Rd	22
Bayview Pl	25	Co Rd 457	3	Lakeview Trl	8	Norberg Dr	1	Schmidt Rd	23	Wendigo Park Cir	24
Bear Creek Rd	31	Crystal Springs Lp	7	Laplant Rd	17	Norway Rd	22	Shadywood Rd	19	Wendigo Park Rd	13
Bears Way	10	Crystal Springs Rd	7	Little Crystal Springs Ln	18	Old Point Comfort Ln	22	Southwood Rd	16	Wendigo Rd	24
Bethany Rd	23	Diamond Rd	18	Little Crystal Springs Rd	7	Pennala Rd	2	Stony Point Rd	7	Wesleyan Dr (22.)	11
Birch Hill Dr	1	E Harris Rd	12	Lucy Ln	24	Perky Ln	22	Sunny Beach Addition Rd (10.)	23	Westwood Ln (19.)	12
Birch St (2.)	6	Field Crest Rd	11	Lundquist Rd	3	Pine Crest Rd (21.)	12	Sunny Beach Cir	16	Westwood Rd (20.)	12
Boxwood Rd (12.)	23	Forest View Trl	22	Melody Rd	7	Pine Landing Dr	17	Sunny Beach Rd (16.)	24	Winnebago Dr (5.)	6
Breezy Ln (14.)	24	Gary Dr	18	Metzenhuber Rd	25	Pine St (7.)	6	Sunny Ln	4	Woodbine Ln	20
Briarwood Rd (11.)	23	Golf Crest Dr	11							Woodland Park Rd	7
Carol St	12	Hale Lake Dr (8.)	23								

Date July 17, 2017

ITASCA COUNTY, MINNESOTA

Grand Rapids Properties LLC
PO Box 323
Brainerd, MN 56401 has made application for a **ZONE CHANGE** for the

AGENT: Joe Dumond (Rice Lake Const. Group) Po Box 517, Deerwood, MN 56444

Property described as: N660' of W825' of SE NE; S.5, 54-25 Parcel #19-005-1402

ZONED: Farm Residential **PROPOSED ZONE:** Light Industrial Commercial

DESCRIPTION OF APPLICATION: Applicant proposes to rezone from Farm Residential to Light Industrial Commercial to construct a Car Dealership. The adjoining north parcels are zoned Light Industrial Commercial. The proposed zone change will allow for a Car Dealership.

YOU ARE BEING NOTIFIED OF THE IMPENDING ACTION SO THAT YOU MAY APPEAR, OR NOTIFY THIS OFFICE, YOUR CONCERN/S, IF ANY, REGARDING THIS APPLICATION AT THE PUBLIC HEARING/S. A COPY OF THE STAFF REPORT, FOR THIS APPLICATION, IS AVAILABLE BY CONTACTING THE ITASCA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT FIVE DAYS PRIOR TO THE PC/BOA HEARING.

THE PLANNING COMMISSOIN/BOA WILL MAKE A RECOMMENDATION TO THE COUNTY BOARD OF COMMISSIONERS.

Joe Dumond **is responsible for contacting** Cari Ann Alleman

Clerk of Harris **Township at** 218/244-1811 **for their recommendations which are to be forwarded to the Planning Commission. NOTE: Interested Property Owners may also contact the Township for further information on the Township's recommendation.**

NOTICE OF PLANNING COMMISSION/BOARD OF ADJUSTMENT HEARING: The public hearing will commence at 10:30 **a.m. in the Board Room of the Itasca County Courthouse, Grand Rapids, MN on the** 9th **day of** August **20**17**. Once an agenda has been prepared, you may contact the Environmental Services Department to find out an 'approximate time' that this rezone will be considered by the Board. Interested individuals must monitor the posted agenda and be available and be prepared to proceed when the above matter is considered by the Board.**

NOTICE OF COUNTY BOARD HEARING: The public hearing will commence at 2:30 **p.m. in the Board Room of the Itasca County Courthouse, Grand Rapids, MN on the** 15th **day of** August **20**17**. Once an agenda has been prepared you may contact the Administrative Services Department (218/327-2847) to find out the time that this rezone will be considered by the Board.**

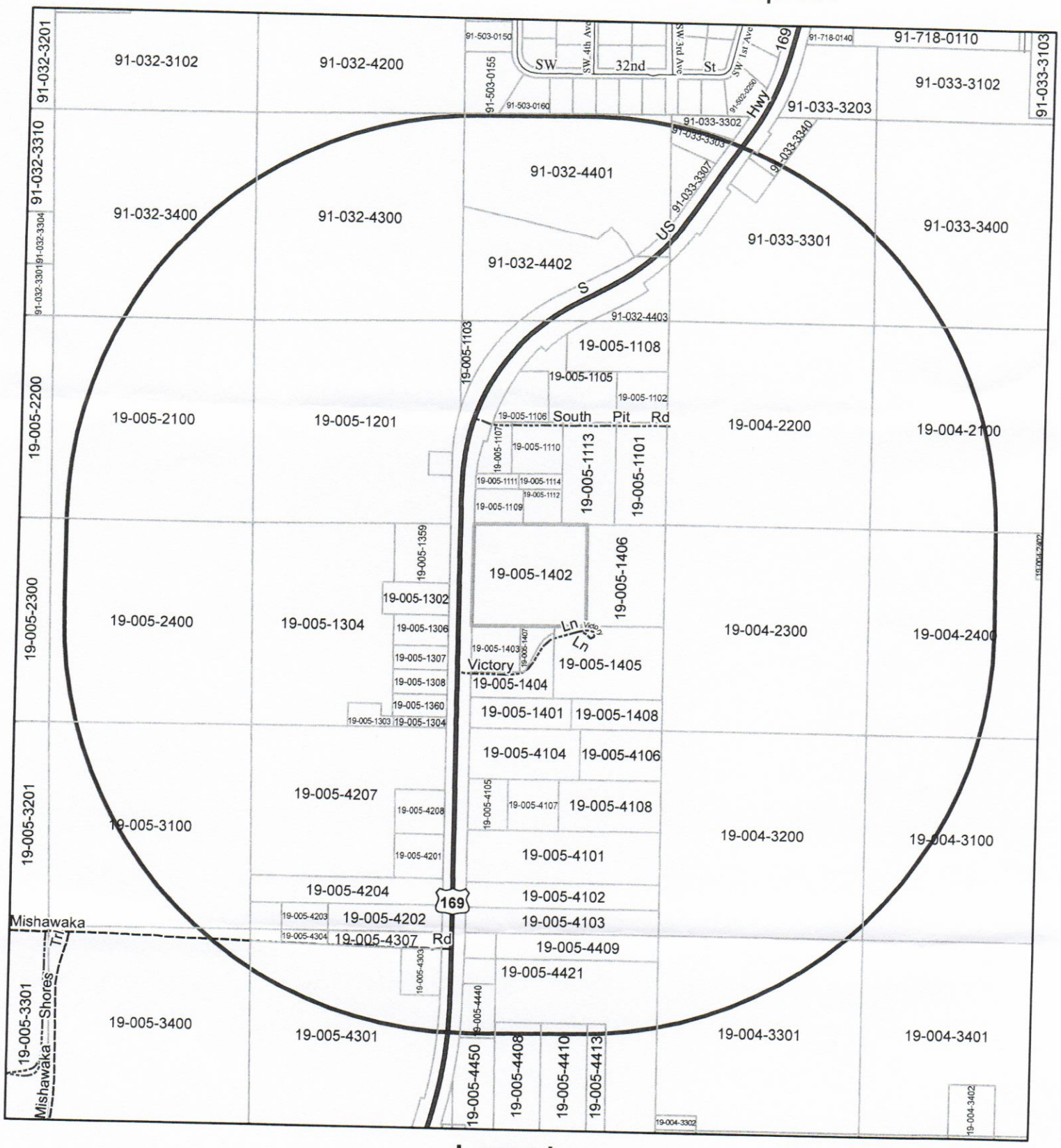
If special accommodations are necessary for you to participate in the hearings, please contact Environmental Services Department at 218/327-2857 or 218/327-2806 (TDD) as soon as possible so necessary arrangements may be made.

All decisions by the County Board shall be final. Judicial review of these decisions by injunction, mandamus, declaratory judgment or other remedy shall be in the manner prescribed by law.

Sincerely,

Dan Swenson, Itasca County Land Use Planning & Assessment Director
123 NE 4th Street, Grand Rapids MN 55744

Grand Rapids Properties Rezone Request



Legend

- Subject Property
- Parcel
- 1/2 Mile Buffer
- Highways - Paved
- Township Roads
- Municipal
- Private or Unkown Jurisdiction

Itasca Geographic Information System
"decision support through automation"

N W E S

This information is a compilation of data from different sources with varying degrees of accuracy and requires a qualified field survey to verify.

Date: 7/12/2017

0 500 1,000 Feet

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BALDWIN, DAVID C & GINGER D
19-005-1403
21562 US HWY 169
GRAND RAPIDS MN 55744

BISCHOFF, DONALD & LAURA
19-005-4307
25997 W INGEBO RD
COHASSET MN 55721

BISCHOFF, DONALD W
19-005-4202
25997 W INGEBO RD
COHASSET MN 55721

BISHOP, JEFFREY & SCHULTZ, K
19-005-4440
21162 US HWY 169
GRAND RAPIDS MN 55744

BROKING, JOHN L & SHIRLEY A
19-005-1404
19306 TOLERICK RD
GRAND RAPIDS MN 55744

BROKING, ROBERT J & JODI
19-005-1405
32079 VICTORY LANE
GRAND RAPIDS MN 55744

BROSE, TONI J TRUSTEE
19-005-1105
31708 LAPLANT RD
GRAND RAPIDS MN 55744

CITY OF GRAND RAPIDS
91-032-4403
420 N POKEGAMA AVE
GRAND RAPIDS MN 55744

DAVIES, GERALD A & DENISE
19-005-4410
32184 HARRISTOWN ROAD
GRAND RAPIDS MN 55744

DAVIS, JIM S & AMY
19-005-4421
32050 HARRISTOWN ROAD
GRAND RAPIDS MN 55744

EDWARDS, BENJAMIN M & NICOLE L
19-005-1359
1868 GLENWOOD DRIVE
GRAND RAPIDS MN 55744

ERHOLTZ, DOROTHY ANN
19-004-2400
21657 PINERIDGE LANE
GRAND RAPIDS MN 55744

ESLER, DOUGLAS & JEAN
19-005-4107
21436 US HWY 169
GRAND RAPIDS MN 55744

ESLER, KERRY & LORETTA
19-005-4108
21440 US HWY 169
GRAND RAPIDS MN 55744

ESLER, ROLAND
19-005-4105
21402 US HIGHWAY 169
GRAND RAPIDS, MN 55744

FIGGINS, TODD & JACKIE
19-005-1408
21506 HWY 169 S
GRAND RAPIDS MN 55744

FIGGINS, TODD A & JACQUELINE V
19-005-1109
21754 US HYW 169 S
GRAND RAPIDS MN 55744

FOIX, ERIC D
19-005-1401
21524 HWY 169
GRAND RAPIDS MN 55744

GILBERT, DANIEL L
19-005-1360
21513 US HWY 169
GRAND RAPIDS MN 55744

GILBERT, ROY L
19-005-4203
21378 MISHAWAKA RD
GRAND RAPIDS MN 55744

GRAND PARTNERS LLC
91-032-4401
973 NE 4TH ST
GRAND RAPIDS MN 55744

HAWKINSON CONST CO INC
19-005-1103
PO BOX 278
GRAND RAPIDS MN 55744

HAWKINSON CONST PROPERTIES
19-005-1102
PO BOX 278
GRAND RAPIDS MN 55744

HAWKINSON CONSTRUCTION PROPERTIES
19-005-1108
PO BOX 278
GRAND RAPIDS MN 55744

HAWKINSON, CLARENCE G
19-005-3100

IVES, MARY F
91-033-3306
973 NE 4TH STREET
GRAND RAPIDS, MN 55744

IVES, MICHAEL J & MARY
91-033-3340
973 NE 4TH STREET
GRAND RAPIDS MN 55744

JOHNSRUD, DAVID ETAL
91-033-3303
3135 HWY 169 S
GRAND RAPIDS MN 55744

KOSKINEN, PAUL & BRENDA
19-005-4201
21333 US HWY 169 S
GRAND RAPIDS MN 55744

LEASE, GREGORY C & DIANNE
19-005-1101
32057 SOUTHPIT RD
GRAND RAPIDS MN 55744

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LEHMBERG, RANDY & KIM
19-005-4206
21410 MISHAWAKA RD
GRAND RAPIDS MN 55744

MADDEN, TINA
19-005-1302
21633 US HWY 169 S
GRAND RAPIDS MN 55744

MCNIFF, STEVEN F & ROBIN L
91-033-3307
3200 SOUTH HWY 169
GRAND RAPIDS MN 55744

PAULLEY, JOSEPH & KATHERINE TRUSTES
19-005-4103
21280 US HIGHWAY 169
GRAND RAPIDS MN 55744

REED, EVANS
19-005-4204
21293 US HIGHWAY 169
GRAND RAPIDS, MN 55744

SOUTH PIT, LLC
19-004-2100
9338 PRESERVE CIRCLE
SAVAGE MN 55378

VALENTYN, MICHAEL & MARIEAU, ASPEN
19-005-4403
21204 S HWY 169
GRAND RAPIDS MN 55744

LITCHKE, CURTIS & CARRIE
19-005-1307
21583 US HWY 169
GRAND RAPIDS MN 55744

MAJOR, BRYAN & THERESA
19-005-4408
1089 TROUT LAKE RD
BOVEY MN 55709

NEW CAMPS INC
19-005-3400
PO BOX 368
GRAND RAPIDS MN 55744

PETERSON CONTRACTING OF
19-005-1106
GRAND RAPIDS LLC
1100 S POKEGAMA AVE
GRAND RAPIDS MN 55744

REGENTS OF UNIV OF MINN
19-004-2300
REAL ESTATE OFFICE
424 DONHOWE BUILDING
319 - 15TH AVENUE SE

Minneapolis
MN
55455

STOFFEL, RONALD J & CHRISTY M
19-005-1202
19578 PINE LANDING DRIVE
GRAND RAPIDS MN 55744

WILSON, SUSAN ETAL
19-005-4104
21492 HWY 169 S
GRAND RAPIDS MN 55744

LORENSON, RAYMOND E & CHARLOTTE K
19-005-4101
TRUSTEES
21328 US HWY 169
GRAND RAPIDS MN 55744

MARTH, OSCAR & JULAINE TRUST
19-005-1306
21607 US HIGHWAY 169
GRAND RAPIDS MN 55744

PAUL, DUANE & ROSALIE
19-005-1406
32072 VICTORY LN
GRAND RAPIDS MN 55744

~~PETERSON, JEFFREY W~~
~~19-005-1107~~
~~1100 S POKEGAMA AVE~~
~~GRAND RAPIDS MN 55744~~

SELIN, MATHEW G
19-005-1308
21551 US HWY 169
GRAND RAPIDS MN 55744

TRUNT, RENEE & DAVIS, MICHAE
19-005-4208
21417 HWY 169
GRAND RAPIDS MN 55744

WOODFORD, DEWAYNE A & DONNA L
19-005-4402
21234 US HWY 169 S
GRAND RAPIDS MN 55744

SWCD = Andy Arens 1889 E Hwy 2 G.R.
MNDOT - District I (Jeff Tillman) 2606 Hwy 2 E. G.R.
DNR Forestry = Box 157 Deer River

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