

BEMIDJI PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, May 22, 2025

Council Chambers
City Hall – 317 4th Street NW
5:30 PM



- 1. CALL MEETING TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MEETING MINUTES**
 - a. Planning Commission Meeting: April 24, 2025
- 6. VISITORS WITH BUSINESS NOT ON THE AGENDA**
- 7. NEW BUSINESS**
 - b. Public Hearing: Variance Request - Parcel 800167100 - John Hamrin
- 8. UPCOMING COMMISSION MEETINGS**
 - c. Planning Commission Meeting: Thursday, June 26, 2025, 5:30 pm
- 9. ADJOURN**

**PLANNING COMMISSION
BEMIDJI, MINNESOTA
Regular Meeting – April 24, 2025**

CALL TO ORDER: Chair Don Heinonen called the regular meeting of the City of Bemidji Planning Commission to order at **5:30 p.m.** Roll call was taken, and the pledge of allegiance was recited.

Members present: Faver, Heinonen, Lemmer, McCoy, Peterson (via WebEx), Meehlhause.

Members absent: None.

Staff Present: Planning Director Jamin Carlson, Assistant Planner Melissa Fahrenbruch, Planning Administrative Assistant Ainslee Krause.

Others Present: Troy Gilchrist (via WebEx), Scott Grover, Leslie Grover, Stella Fern, Fred, Lisa Knights, Mark Wilkowski, Tim Marco, Khasi Merseth.

AMENDMENTS TO AGENDA

Chair Heinonen called for any amendments to the agenda. Motion by **Lemmer**, second by **Meehlhause**, to approve the agenda. Motion carried by unanimous voice vote.

MINUTES

The minutes for the **March 27, 2025**, Planning Commission meeting were presented for approval. Motion by **Meehlhause**, second by **Lemmer**, approving minutes as presented. Motion carried by unanimous voice vote.

VISITORS WITH BUSINESS NOT ON AGENDA: No appearance.

NEW BUSINESS

Public Hearings:

PLANNING CASE: VARIANCE REQUEST – MURRAY SURVEYING REPRESENTING SCOTT & LESLIE GROVER:

Fahrenbruch presented the planning case request: Murray Surveying Inc., representing Scott & Leslie Grover, is requesting a variance from OHWL setback requirements to build/replace a garage on an existing lot of record. The subject property is located at 5350 Elliot Road NE (PIN 800306900) in the City of Bemidji. This parcel is within the R-3 Suburban Residential zoning district and the Shoreland Overlay (Forested River Segment). The requested variances are as follows:

1. A reduction of 62 feet from the OHW setback per Section 28-355 requirement of 150 feet from the ordinary high-water mark and at the building line.

Conclusions based on the Ordinance and Comprehensive Plan were presented in the packet including conditions and findings of fact.

Commission members made no comments.

Public Hearing

Pursuant to published notice, a public hearing was held regarding input on the request. Chair Heinonen opened the Public Hearing at **5:39 PM**, hearing the following comments:

- Scott Grover, applicant, addressed the commission.
- Stella Fern, neighboring property owner to the north, addressed the commission and expressed concern that the septic system is right on the property line. Fern requested that the new garage not encroach on her property. Staff addressed that the proposed structure will be about 24 feet away from the property line at the closest point.

Hearing no further comments Chair Heinonen closed the Public Hearing at **5:43 PM**.

Motion by **Peterson**, second by **Meehlhause**, to recommend approval of the variance request for parcel 800306900, with the conditions and findings of fact as presented in the packet.

Commission members had additional comments:

- Meehlhause expressed support for the garage being pulled further away from the property line.

Motion carried by the following roll call vote: Ayes: **Peterson, Meehlhause, McCoy, Lemmer, Heinonen, Faver**. Nays: **None**.

Chair Heinonen addressed that the request would go before the Planning Board at their next meeting on **May 12, 2025**, at 5:30 PM for the final decision.

PLANNING CASE: INTERIM USE PERMIT REQUEST – VETTER & WALD LLP REPRESENTING NORTHWEST TIRE:

Fahrenbruch presented the planning case request: Vetter & Wald LLP representing Northwest Tire is requesting an Interim Use Permit (IUP) for a semi-trailer exceeding 400 square feet maximum for outdoor storage purposes in the B-2 General Commercial zoning district & Hwy 197 Overlay. The subject property is located at 402 Paul Bunyan Dr SE (PIN 800362900) in the City of Bemidji.

Conclusions based on the Ordinance and Comprehensive Plan were presented in the packet including conditions and findings of fact.

Commission members made the following comments:

- Faver inquired if the container is encroaching on the alley right-of-way. Staff clarified that it is not.

Public Hearing

Pursuant to published notice, a public hearing was held regarding input on the request. Chair Heinonen opened the Public Hearing at **5:48 PM**, hearing the following comments:

- Fred, representing Northwest Tire, addressed the commission and noted that they removed their previous container due to the condition and brought in a new one. Fred addressed their need for additional storage and noted there is currently hard packed sand underneath the tires and proper blocking underneath the front foot pads.
- Lisa Knights, 416 Wood Ave SE, addressed that the trailer is not causing problems in the neighborhood and cannot be seen from Paul Bunyan Dr SE and can be seen immediately from 4th St SE. Knights noted that Northwest Tire has been a good neighbor and expressed that the container does not impede the alleyway and that the fence is an unnecessary requirement.
- Mark Wilkowski, 405 4th St SE, expressed that the container is fine and that a fence would be a waste of time and money.

Hearing no further comments, Chair Heinonen closed the Public Hearing at **5:54 PM**.

Commission members had additional comments:

- Peterson inquired if a fence is required. Staff addressed that screening is required under the Ordinance. Peterson and staff discussed screening options.
- Peterson expressed support for not requiring a fence since the container is not bothering the neighbors. Staff addressed that a variance would be required if the applicant wants to vary from the screening requirement.

Motion by **Meehlhause**, second by **Lemmer**, to recommend approval of the interim use permit request for parcel 800362900, with the conditions and findings of fact as presented in the packet.

DRAFT

Motion carried by the following roll call vote: Ayes: **Peterson, Meehlhause, McCoy, Lemmer, Heinonen, Faver.** Nays: **None.**

Chair Heinonen addressed that the request would go before the Planning Board at their next meeting on **May 12, 2025**, at 5:30 PM for the final decision.

PLANNING CASE: CONCEPT PLANNED UNIT DEVELOPMENT REQUEST – MARCO MCLANE DEVELOPMENT REPRESENTING GREATER BEMIDJI:

Carlson presented the planning case request: Marco McLane Development representing Greater Bemidji is requesting a Concept Planned Unit Development (PUD) to develop a multi-phase project which would include a YMCA Community Wellness Center and other future developments within the Urban Renaissance (UR) zoning district and the Shoreland Overlay. The subject property is located at 101 Minnesota Ave NW (PIN 800034499) in the City of Bemidji (also known as the rail corridor).

Conclusions based on the Ordinance and Comprehensive Plan were presented in the packet including conditions and findings of fact.

Commission members made the following comments:

- Peterson questioned who would maintain the park area. Staff addressed that is not known at this time.

Public Hearing

Pursuant to published notice, a public hearing was held regarding input on the request. Chair Heinonen opened the Public Hearing at **6:05 PM**, hearing the following comments:

- Tim Marco, Marco McLane Development, addressed the commission and reviewed the project. Marco addressed that Marco McLane Development and Greater Bemidji are not the developer of the project, but will be putting together the plan for a future developer to implement.
- Marco addressed the greenspace/potential park is currently planned to be private and not public. Marco expressed concern over the plans required for the preliminary/final phases when the uses for the additional buildings planned have not been teased out yet.
- Marco addressed the plan for the plats and identified that the current plan is to plat lots 1A and 1B separately, clarifying that the building along Minnesota Avenue will be its own lot, the YMCA will be its own lot, and everything east in phase II will be platted as an out lot.
- Lemmer expressed concern over impact on the Veteran's Memorial and Historical Society. Marco clarified that they will not be moving Minnesota Ave and the parking would not change.
- Meehlhause and Marco discussed the history of the project.
- Meehlhause inquired if the MN Energy parking lot is going to be acquired. Marco addressed that it has been discussed, but no purchase agreement is in place.
- Meehlhause inquired if connecting Minnesota Avenue to Midway Drive has been considered. Marco addressed that it has been discussed.
- Meehlhause inquired about the gold medal park plan. Marco addressed that that park plan has been removed from the current site plan, however there is still a pond and open greenspace in that southeast corner.
- Meehlhause addressed support for flexibility within the development.
- McCoy inquired about any plans for screening between the property line and the railroad. McCoy inquired if a complete dig of the site has been done to make sure there are not artifacts or cultural resources that may be impacted and if there is a plan in place for those. McCoy inquired if the applicant had discussed realigning the trail with the DNR.
- Staff addressed that the trail is owned by the city.
- Marco addressed that the city is in discussions with the railroad regarding screening.

DRAFT

- Marco addressed that the city is commissioning the cleanup and noted that the review of the site will be part of the bid package.
- Heinonen inquired about a current business in the corridor and if they would be relocated prior to the soil mitigation. Marco addressed that the city is working with local businesses and buildings.
- Marco addressed the tentative start date for cleanup is July or August and may go into next year.
- Heinonen expressed concern over the proposed section of the trail that will be a 90-degree turn and requested that this be reviewed.
- Heinonen expressed support for including residential or mixed-use commercial in this area and complying with emergency vehicle access requirements.
- Lemmer discussed the benefits of having the trail connecting people to the YMCA.
- Marco addressed that they have alternative plans for the trail and will take this feedback. Into consideration.
- Khasi Merseth, whose husband owns Downtown Meats, inquired about the corner area. Merseth expressed concern for construction affecting access to their parking lot.

Hearing no further comments Chair Heinonen closed the Public Hearing at **6:29 PM**.

Additional comments provided:

- Jessica Saucedo (via WebEx), neighboring property owner at 303 Railroad St SW, inquired about the buffer map. Staff addressed.
- Saucedo addressed no other concerns.

Motion by **Meehlhause**, second by **Peterson**, to recommend approval of the concept planned unit development request for parcel 800034499, with the findings of fact as presented in the packet.

Commission members made additional comments:

- Meehlhause and staff discussed snowmobile use on the trails.

Motion carried by the following roll call vote: Ayes: **Peterson, Meehlhause, McCoy, Lemmer, Heinonen, Faver**. Nays: **None**.

Chair Heinonen addressed that the request would go before the Planning Board at their next meeting on **May 12, 2025**, at 5:30 PM for the final decision on the concept phase.

UPCOMING COMMISSION MEETINGS

- Thursday, May 22, 2025 5:30 p.m. Planning Commission Meeting

ADJOURN

There being no further business, motion by **Meehlhause**, second by **Lemmer**, to adjourn the meeting. Motion carried. Meeting adjourned at **6:37 p.m.**

Respectfully submitted,

Ainslee Krause
Planning & Building Administrative Assistant

PC Minutes approved and attested by: _____
Planning Commission Representative

The City of Bemidji Planning and Zoning Department

PLANNING CASE: V-2025-0002	MEETING DATE: MAY 22, 2025
APPLICANT: John Hamrin - Owner	60-DAY RULE DATE: June 28, 2025
PROCEEDING: Variance from OHWL setback, side yard setback & lot width minimum	ZONING DISTRICT: (R-4) Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake)
PREPARED BY: Jamin Carlson Planning Director	EXHIBITS: Aerial Map, Application, Supporting Documentation

PLANNING REPORT

I. SUMMARY OF REQUEST

John Hamrin is requesting a Variance from the OHWL & side yard setbacks and lot width requirements to build an attached lakeside deck on an existing lot of record in the R-4 Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake). The subject property is located at 1725 S Lake Irving Dr SW (PIN #80.01671.00) in the City of Bemidji. The requested variances are as follows:

1. A reduction of 7.1 feet from the OHW setback per Section 28-352 requirement of 50 feet from the ordinary high-water mark and at the building line.
2. A reduction of 2.23 feet from the side yard setback per Section 28-352 requirement of 10 feet for the proposed deck.
3. A reduction of 25 feet from the lot width minimum per Section 28-352 requirement of 100 feet.

II. BACKGROUND

The Applicant spoke with staff several times about adding a deck to the lakeside of the home. This is to address the egress/ingress issue off the kitchen and the lakeside of the home but also the safety issues caused by the height of the retaining walls.

Existing Conditions

The house has been added onto in the past before the current ordinance and is on a legal non-conforming lot. The house will not change according to the applicant. The property is connected to city water & sewer services.



III. DISCUSSION/DEVELOPMENT ANALYSIS

Planning Considerations

Variations should only be granted when they are in harmony with the general purpose of zoning ordinances or consistent with the comprehensive plan. A practical difficulty is the legal standard for consideration of variations. An applicant can demonstrate a practical difficulty when their proposal is reasonable, will not alter the essential character of the neighborhood, and is caused by a unique circumstance related to the property not directly caused by the landowner. Economics and cost can be a factor of consideration, but alone does not constitute as a practical difficulty.

1989 Survey of Property

CERTIFICATE OF SURVEY

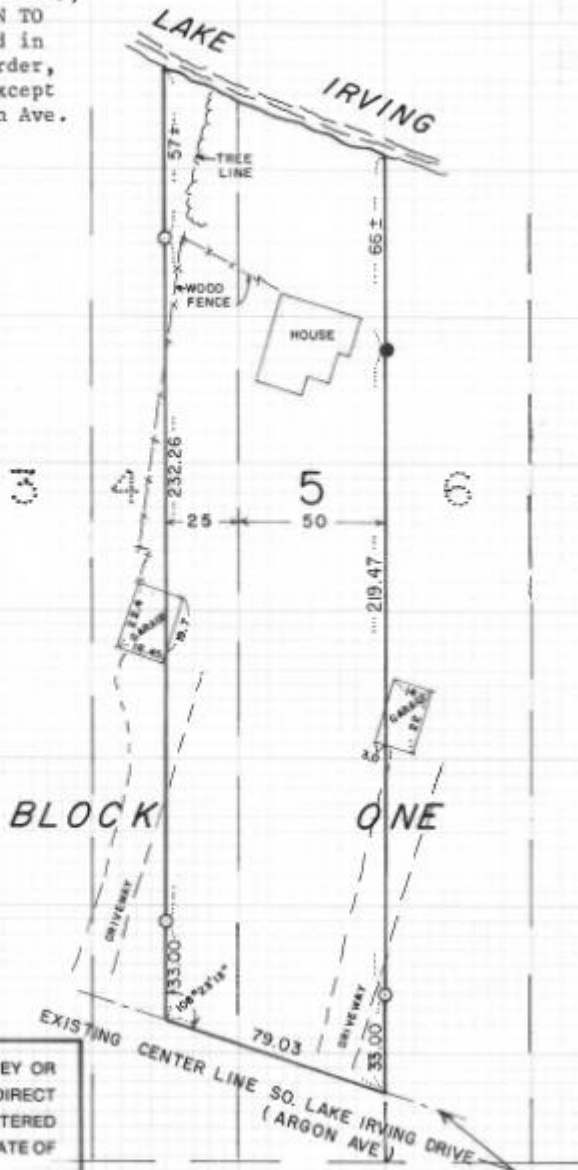
DESCRIPTION:

The East 25 feet of Lot 4 and Lot 5, Block One, AL SMART'S ADDITION TO BEMIDJI, on file and of record in the office of the County Recorder, Beltrami County, Minnesota, except that part lying south of Argon Ave.



SCALE: 1"=50'

- Monument Found
- Monument Set



For: GENE MOEN

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

Robert W. Murray
 DATE July 6, 1989 REGISTRATION NO. 15483

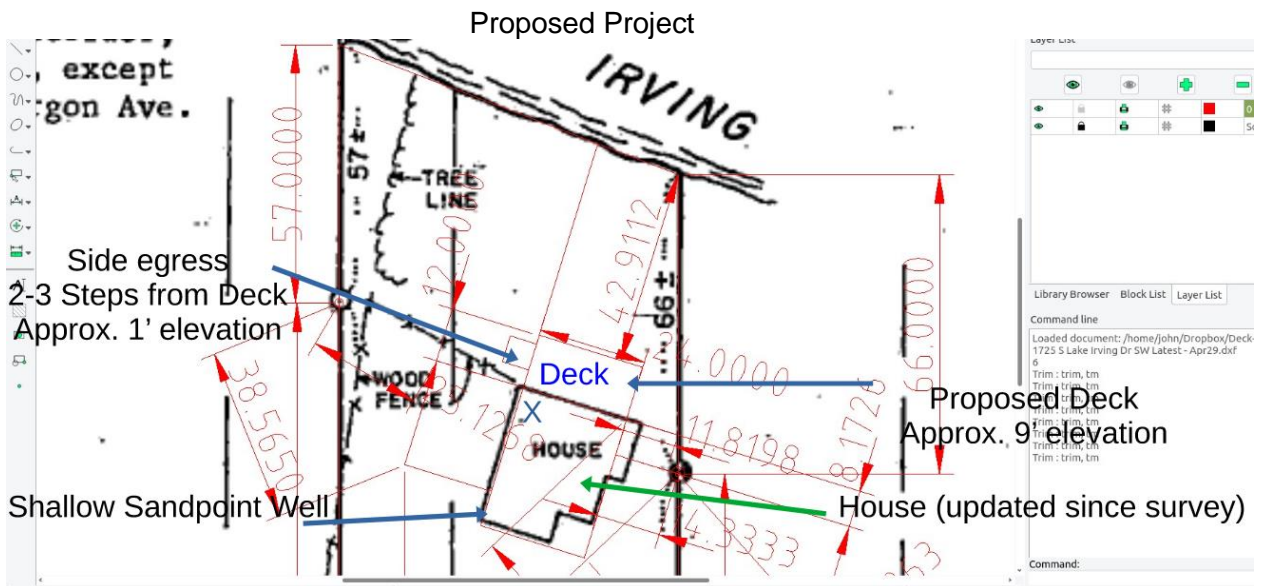
MURRAY SURVEYING, INC.
 Bemidji, Minnesota

File No. 89-47

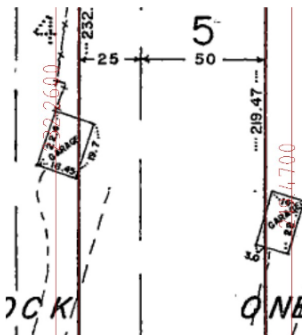
Neighboring property approximate OHWL setbacks:



IV. DEVELOPMENT SUMMARY



Land Coverage <25%



Left garage is my little garage

Right garage (neighbors) no longer exists

	A	B	C	D	E	F
	Length	Width	Total	%		
1						
2	House		1,248 ft ²	5.79%	Per Survey Dimensions	
3	Proposed Deck	12,000 ft	24,000 ft	288 ft ²	1.34%	
4	Back Steps	3,667 ft	10,000 ft	37 ft ²	0.17%	Tape measure
5	Stairs to dock	3,000 ft	40,000 ft	120 ft ²	0.56%	Tape measure & CAD of survey
6	Platform to lake	5,167 ft	7,000 ft	36 ft ²	0.17%	Tape measure
7	Retaining walls	102,000 ft	1,083 ft	111 ft ²	0.51%	Tape measure
8	Sidewalk	103,000 ft	3,333 ft	343 ft ²	1.59%	Tape measure
9	Main Garage	24,000 ft	34,000 ft	816 ft ²	3.79%	Per Survey Data
10	Little Garage	22,000 ft	16,000 ft	88 ft ²	0.41%	Per survey, only 1/4 actually on my lot area
11	Main Garage Apron	18,000 ft	34,000 ft	612 ft ²	2.84%	Tape measure
12	Unpaved Driveway	113,000 ft	8,500 ft	961 ft ²	4.46%	CAD of Survey
13	Total			4,659 ft²	22%	
14						
15	Lot			21,552 ft²		CAD of Survey
16						
17	Distances from survey NE black dot to house were tape measured.					
18	Distances from survey NW survey monument to house were tape measured.					
19	SW survey monument found.					
20	SE survey monument not found.					
21	Little Garage is only 1/4 on my 1725 lot					
22						
23						
24	House	0.000 ft	0.000 ft	1,248 ft ²	5.79%	Per Survey Dimensions
25	Proposed Deck	12,000 ft	24,000 ft	288 ft ²	1.34%	
26	Back Steps	3,667 ft	10,000 ft	37 ft ²	0.17%	Tape measure
27	Stairs to dock	3,000 ft	40,000 ft	120 ft ²	0.56%	Tape measure & CAD of survey
28	Platform to lake	5,167 ft	7,000 ft	36 ft ²	0.17%	Tape measure
29	Retaining walls	102,000 ft	1,083 ft	111 ft ²	0.51%	Tape measure
30	Sidewalk	103,000 ft	3,333 ft	343 ft ²	1.59%	Tape measure
31	Main Garage	24,000 ft	34,000 ft	816 ft ²	3.79%	Per Survey Data
32	Little Garage	22,000 ft	16,000 ft	352 ft ²	0.41%	Total Area (including portions on neighbor's lot)
33	Main Garage Apron	18,000 ft	34,000 ft	612 ft ²	2.84%	Tape measure
34	Unpaved Driveway	113,000 ft	8,500 ft	961 ft ²	4.46%	CAD of Survey
35	Total			4,923 ft²	23%	
36						
37	Lot			21,552 ft²		CAD of Survey
38						

Upper Calculation:
Little Garage area is only that which is actually inside the 1725 lot total area

Lower Calculation:
Little Garage area includes the portion not on the lot used to calculate the lot area, not correct but shown for reference

Below is a provision in the Ordinance that allows deck additions without a variance if all sections can be met. The applicant could not meet the requirements.

Sec. 28-356. - Deck Additions to Nonconforming Structures in Shoreland

Deck additions are allowed to structures that do not meet the minimum setback from the ordinary high-water level, or to those structures that minimally meet the setback requirement to the ordinary high-water level, without a variance, provided:

- (a) The structure existed on the date the structure setbacks were established;
- (b) A thorough evaluation of the property reveals no reasonable location (no rear or side yard setbacks remain on the site) for a deck which meets or exceeds the established setback from the ordinary high water level;
- (c) The deck encroachment toward the ordinary high-water level does not exceed fifteen (15) percent of the existing setback of the structure from the ordinary high-water level, and does not encroach closer than thirty (30) feet; and,
- (d) The deck is constructed primarily of wood, and is not roofed or screened. Existing decks constructed within a required setback shall not be expanded in any way, including the addition of footings, walls, or a roof, except by approval of a variance.

Development Team Comments

No concerns from the fire department.

Neighboring Property Input

No comments were received at the time of this report.

Comprehensive Plan References

Objective 4.1: Preserve the Quality Residential Neighborhoods

Thriving neighborhoods are important to a growing community as well as ensuring that existing neighborhoods are not consistently replaced with multi-family or commercial development that could increase rural sprawl. It is also important to allow existing non-conforming residential areas to be redeveloped.

Zoning Ordinance References

Section 28-352 Bulk Density and Lot Sizes

Section 28-355 Nonconforming Structures Substandard in Shoreland Overlay District

Section 28-356 Deck Additions to Nonconforming Structures in Shoreland

Section 28-481 Variances

Section 28-525 Variances, Appeals & Adjustments

V. RECOMMENDATION & FINDINGS

The Planning Commission must decide whether the conditions are sufficient for approval of a variance from the OHWL & side yard setback requirements to build a deck on an existing lot of record. The subject property is located at 1725 S Lake Irving Dr SW (PIN #80.01671.00) in the City of Bemidji. This parcel is within the R-4 Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake). The requested variances are as follows:

1. A reduction of 7.1 feet from the OHW setback per Section 28-352 requirement of 50 feet from the ordinary high-water mark and at the building line.
2. A reduction of 2.5 feet from the side yard setback per Section 28-352 requirement of 10 feet for the proposed deck.
3. A reduction of 25 feet from the lot width minimum per Section 28-352 requirement of 100 feet.

The following are the proposed conditions and findings of fact:

Conditions

1. The new deck shall be staked by a professional surveyor to mitigate setback encroachment.
2. An Erosion Control plan/permit shall be submitted and approved before any construction commences on the property.
3. A Planning Site Plan Review shall be submitted and approved prior to construction.
4. A Building permit shall be obtained prior to construction.
5. The variance shall expire and become void if the project is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete. The City may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings

1. Has the applicant demonstrated a practical difficulty?

The existing location of the house makes it not feasible for a deck on the lakeside without the need for a variance. This request is reasonable and cannot be completed within the Ordinance standards without a variance.

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

The lot was platted prior to today's zoning standards, and this was not caused by the current owner. Due to the location of the house, a deck cannot be added to the lakeside without a variance.

3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?

There are homes in this area that are legal non-conforming structures on legal non-conforming lots. Adding a deck would be keeping with the character of the neighborhood and does not compromise the spirit, purpose and intent of the Zoning Ordinance.

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

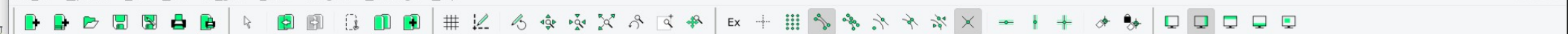
The proposed variance request would fit well within the surrounding area and would not alter the character. Other properties in this area are constructed in a similar manner.

Variance Request Site Plan

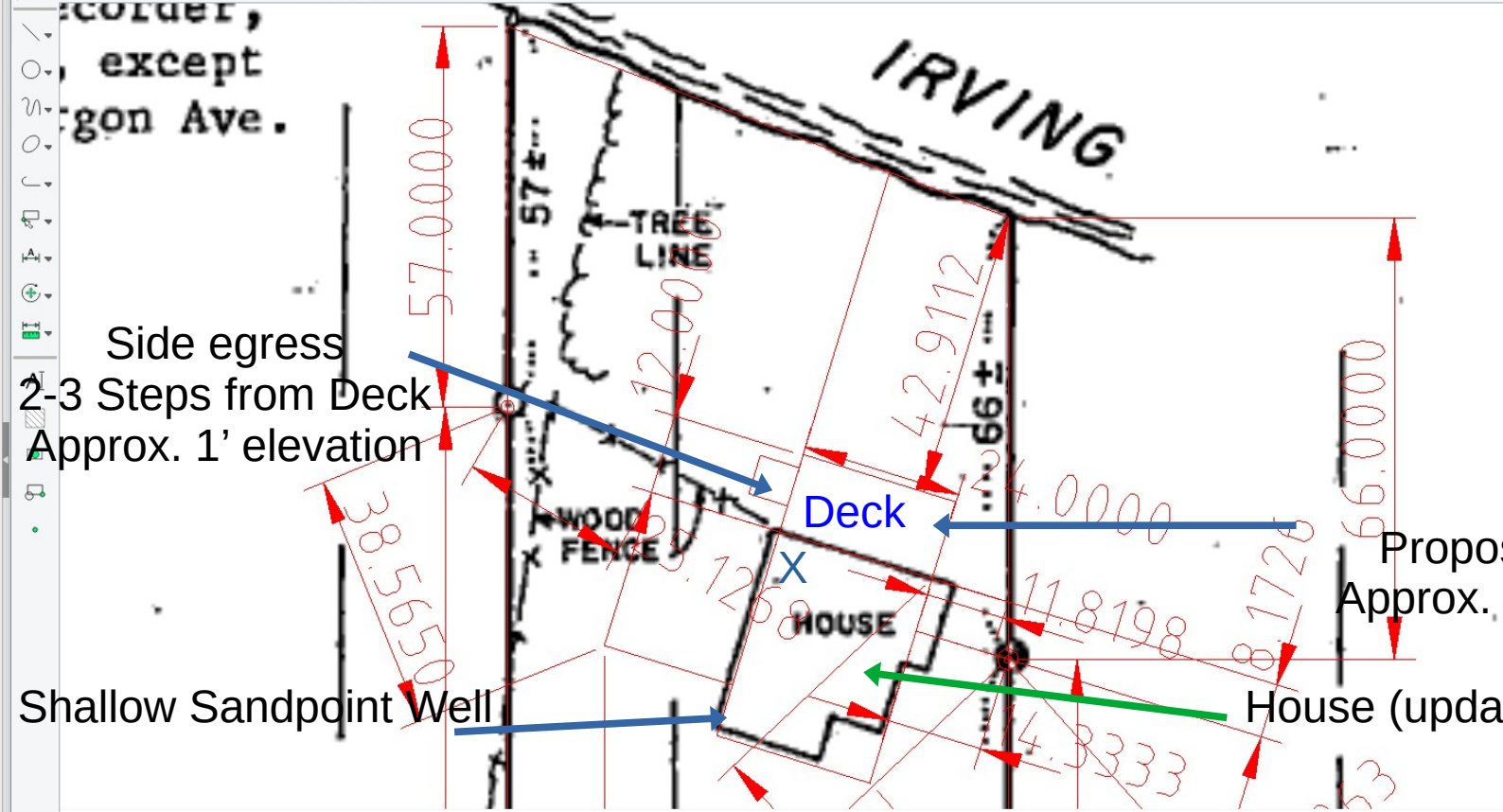
- John Hamrin
- 1725 S Lake Irving Dr SW
- Request approval for an 12' x 24' deck
 - This would result in a setback of 42'11" at closest point from surveyed ordinary high water level.
 - 7'1" encroachment on 50' (<15%)
 - The kitchen sliding glass door currently has a jam to prevent opening and falling.
 - 3 out of 4 survey monuments were found for measurements.
 - House distance from Lake Irving unchanged from that shown in 1989 Certificate of Survey
 - Land usage is under 25%

Legal Description

SECT-17 TWP-146 RANGE-033 AL SMART'S
ADDITION TO BEMIDJI LOT-004 BLOCK-001
E25' OF LOT 4 & LOT 5 LESS THAT PART
THEREOF LYING S'RLY OF ARAGON AVE
WHICH IS ESTABLISHED ROAD OR STREET
RUN IN E'RLY & W'RLY DIRECTION ACROSS
SAID LOTS



By Layer - By Layer - By Layer



Layer List

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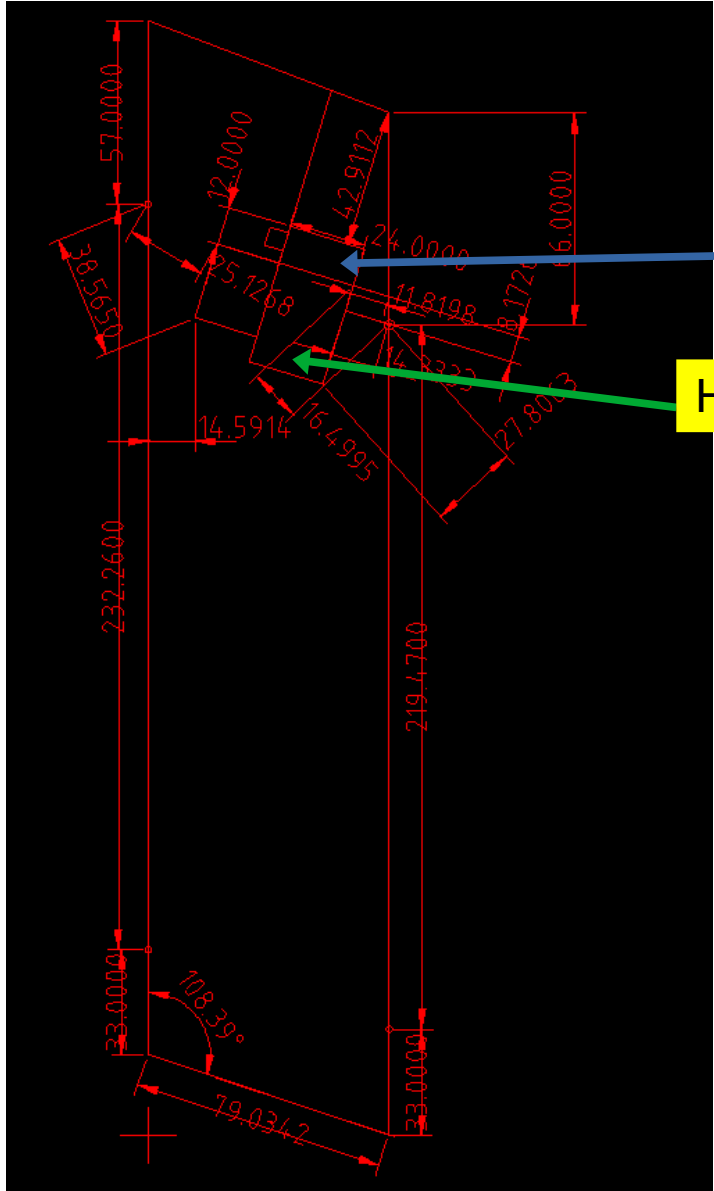
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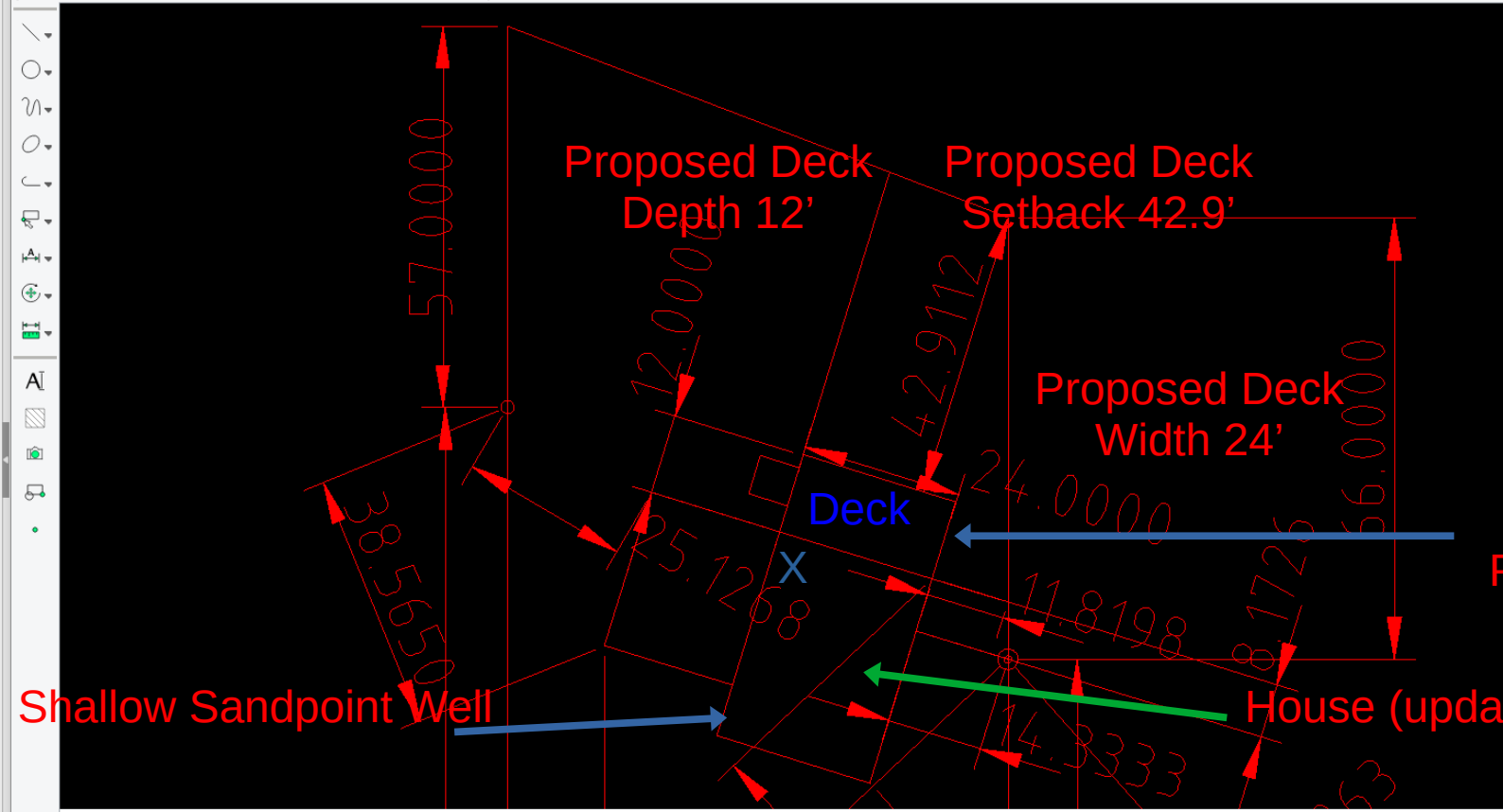
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Command:



Proposed Deck

House (updated since survey)



Layer List

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Library Browser Block List Layer List

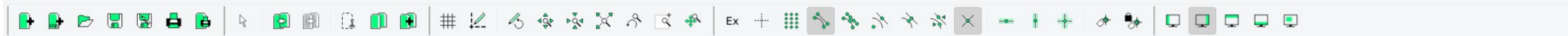
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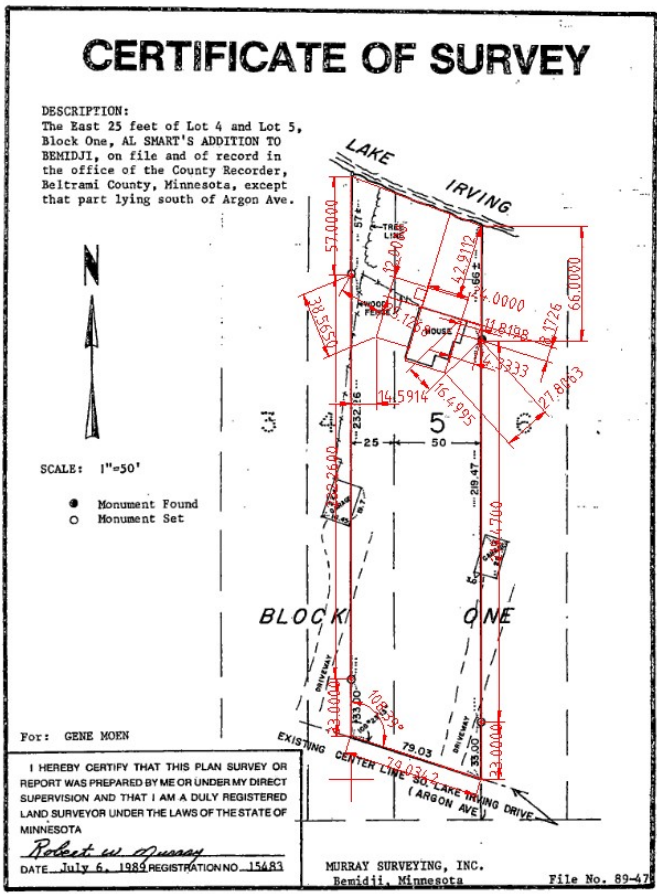
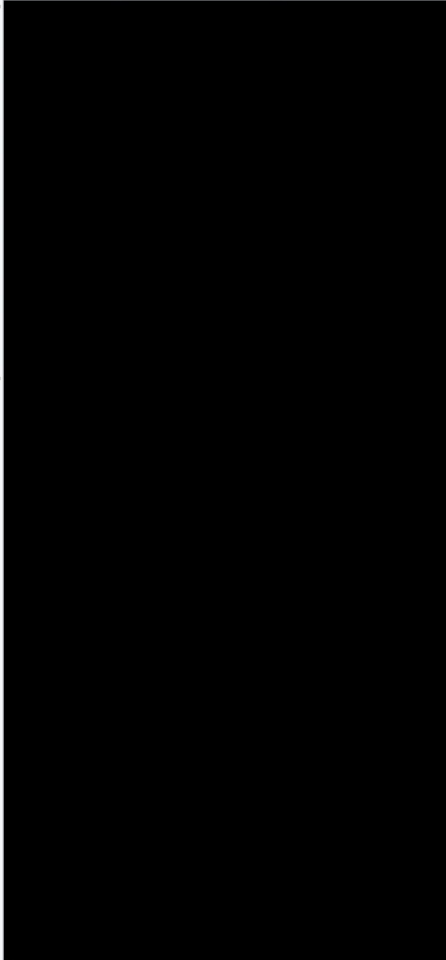
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Command:



By Layer - By Layer - By Layer



Layer List

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Library Browser Block List Layer List

Command line

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PLAT SKETCH
(This is not a survey)

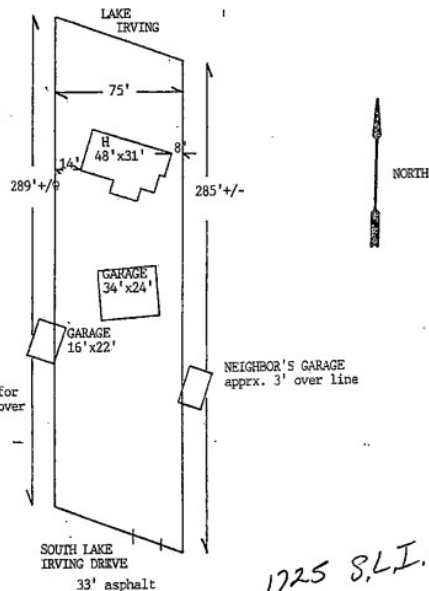
1725 S. Lake Irving Dr
Bemidji, MN 56601

Prepare the drawing showing: (1) Lot Dimensions, (2) Outside Dimensions of any buildings, (3) Setback Lines, (4) Any Encroachments (including fences, driveways, sheds, etc.), (5) Any Visible Easements (driveways, utilities, alleys, etc.), (6) Driveway and/or Other Access, (7) Specify North.

It appears that there have been no changes since the original date of this plat.

DATED: December 6, 2000

Signed: *David J Johnson*



per owner:
re are easements for
buildings being over
lot lines.

The drawing above shown indicates correctly the location of all buildings and easements on the premises, and the size and shape of all buildings. The drawing above is based on a visual inspection of the premises and should not be used as a survey. The lot dimensions are taken from the county records.

DATED: June 19, 1998

INSPECTOR: *Tom A. Ind*

CERTIFICATE OF SURVEY

DESCRIPTION:

The East 25 feet of Lot 4 and Lot 5, Block One, AL SMART'S ADDITION TO BEMIDJI, on file and of record in the office of the County Recorder, Beltrami County, Minnesota, except that part lying south of Argon Ave.



SCALE: 1"=50'

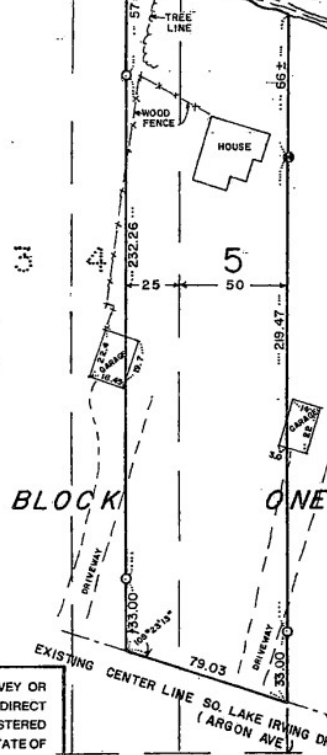
- Monument Found
- Monument Set

For: GENE MOEN

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

Robert W. Murray
DATE: July 6, 1989 REGISTRATION NO. 15483

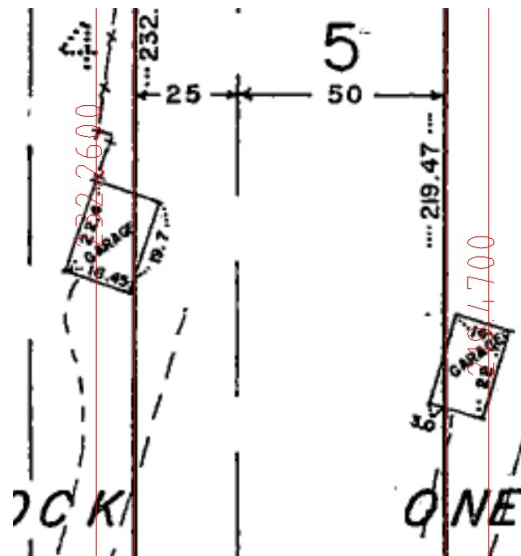
LAKE IRVING



MURRAY SURVEYING, INC.
Bemidji, Minnesota

File No. 89-47

Land Coverage <25%



	A	B	C	D	E	F
		Length	Width	Total	%	
1						
2	House			1,248 ft ²	5.79%	Per Survey Dimensions
3	Proposed Deck	12.000 ft	24.000 ft	288 ft ²	1.34%	
4	Back Steps	3.667 ft	10.000 ft	37 ft ²	0.17%	Tape measure
5	Stairs to dock	3.000 ft	40.000 ft	120 ft ²	0.56%	Tape measure & CAD of survey
6	Platform to lake	5.167 ft	7.000 ft	36 ft ²	0.17%	Tape measure
7	Retaining walls	102.000 ft	1.083 ft	111 ft ²	0.51%	Tape measure
8	Sidewalk	103.000 ft	3.333 ft	343 ft ²	1.59%	Tape measure
9	Main Garage	24.000 ft	34.000 ft	816 ft ²	3.79%	Per Survey Data
10	Little Garage	22.000 ft	16.000 ft	88 ft ²	0.41%	Per survey, only 1/4 actually on my lot area
11	Main Garage Apron	18.000 ft	34.000 ft	612 ft ²	2.84%	Tape measure
12	Unpaved Driveway	113.000 ft	8.500 ft	961 ft ²	4.46%	CAD of Survey
13	Total			4,659 ft²	22%	
14						
15	Lot			21,552 ft²		CAD of Survey
16						
17	Distances from survey NE black dot to house were tape measured.					
18	Distances from survey NW survey monument to house were tape measured.					
19	SW survey monument found.					
20	SE survey monument not found.					
21	Little Garage is only 1/4 on my 1725 lot					
22						
23		Length	Width	Total	%	
24	House	0.000 ft	0.000 ft	1,248 ft ²	5.79%	Per Survey Dimensions
25	Proposed Deck	12.000 ft	24.000 ft	288 ft ²	1.34%	
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35	Total			4,923 ft²	23%	
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Upper Calculation:
Little Garage area is only that which is actually inside the 1725 lot total area

Lower Calculation:
Little Garage area includes the portion not on the lot used to calculate the lot area, not correct but shown for reference

Left garage is my little garage

Right garage (neighbors) no longer exists

CERTIFICATE OF SURVEY

DESCRIPTION:

The East 25 feet of Lot 4 and Lot 5, Block One, AL SMART'S ADDITION TO BEMIDJI, on file and of record in the office of the County Recorder, Beltrami County, Minnesota, except that part lying south of Argon Ave.



SCALE: 1"=50'

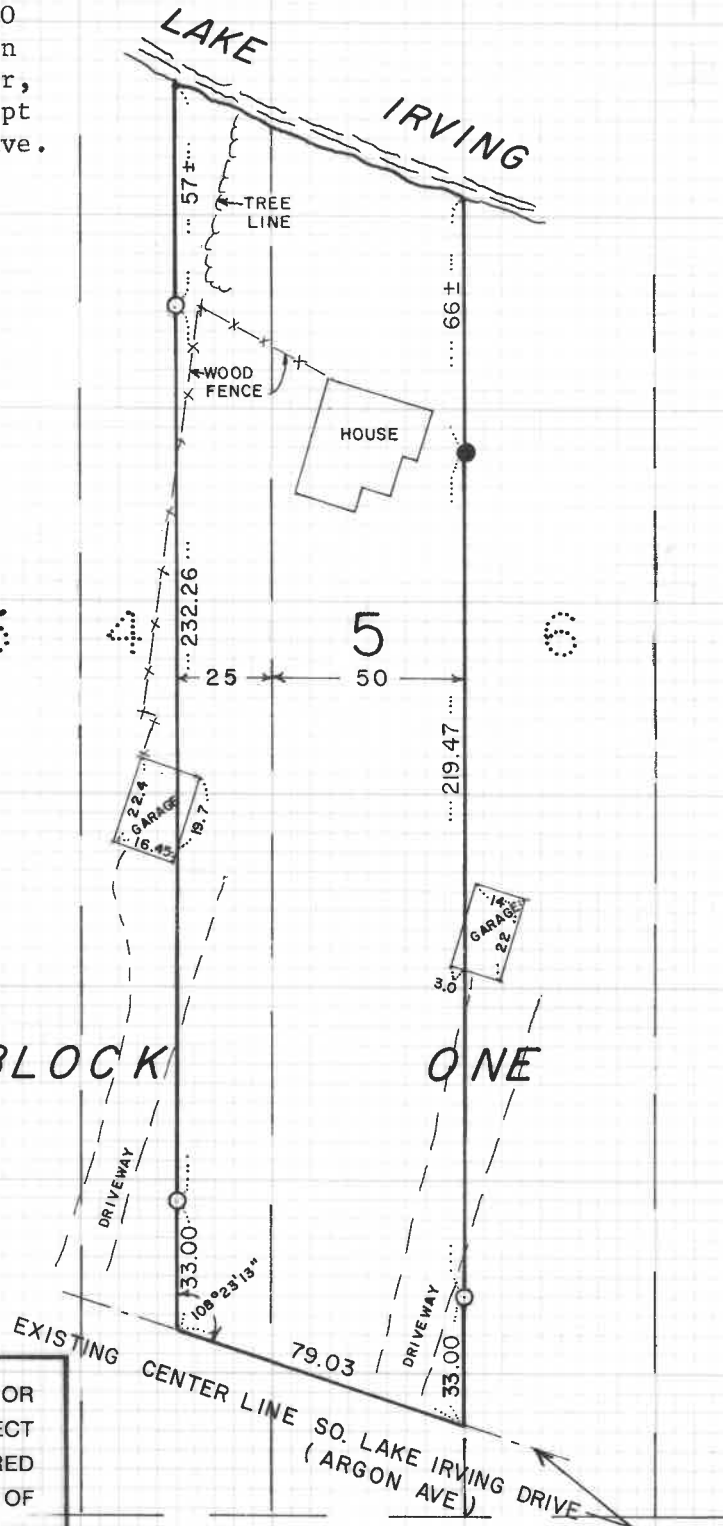
- Monument Found
- Monument Set

For: GENE MOEN

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

Robert W. Murray

DATE July 6, 1989 REGISTRATION NO. 15483



MURRAY SURVEYING, INC.
Bemidji, Minnesota

File No. 89-47



Application

V-2025-0002

VARIANCE

SITE ADDRESS: 1725 S LAKE IRVING DR SW BEMIDJI
PRIMARY PARCEL: 800167100
PROJECT NAME: HAMRIN - VARIANCE FOR DECK

ISSUED:
EXPIRES:

APPLICANT: Hamrin, John
1725 S Lake Irving Dr SW
Bemidji, MN 56601
2185568266

OWNER: JOHN EDWARD HAMRIN
1725 S LAKE IRVING DR SW
BEMIDJI, MN 56601

PERMIT DETAILS

Detail Name	Detail Value
Are multiple variances being requested?	No
What specific standard(s) are you requesting a variance from (lot size, setbacks, building height, etc.)? List the Ordinance Section, if known.	Lake setback
What specific measurement(s) or standard(s) are you proposing?	7 foot 1 inch encroachment on 50 foot setback per certificate of survey
Describe the existing use of your property:	Residential
Describe the proposed use of your property:	Residential
Will the proposal impact the character of the surrounding area?	No
Are there unavoidable physical or design limitations that severely limit your ability to meet the ordinance requirement(s)?	Yes
If yes, please explain the unavoidable physical or design limitations.	Deck will provide egress from kitchen door.
Are there design or construction options or alternatives that may eliminate the need for a variance?	No
Please describe the alternatives you considered that would eliminate a need for a variance.	The sliding glass door is currently blocked from opening.
Please explain the practical difficulty you have encountered that prevents you from meeting the ordinance standard	Insufficient deck depth would result in an exit that wouldn't clear the air-conditioner unit adequately.
What measures have you considered and are willing to take to reduce the impact of this proposal on the standard you wish to vary from (remove other buildings, vegetative screens, etc.)?	I don't believe it will have any noticeable impact as without measuring, my neighbors deck's are similar in setback. I am open to suggestion.
Does your property contain low areas, wetlands, or areas with standing water?	No



Please explain if you intend to drain, fill or otherwise alter this area for any reason (If this does not apply, enter N/A) n/a

Enter Escrow Payer's Name and Mailing Address (where escrow funds are to be returned when the project is completed) John Hamrin, 1725 S Lake Irving Dr SW, Bemidji, MN 56601

I hereby certify that I am the owner or authorized agent of the owner of the above described property and that all uses will conform to the provisions of the City of Bemidji Development Code. I further certify that I will comply with all conditions placed upon this permit should this application be approved. Intentional or unintentional falsification of this application or any attachments thereto will serve to make this application and any resultant permit invalid. I Certify

I also authorize the City of Bemidji Planning staff to inspect the property during review of this application and subsequent construction during reasonable times of the day. I Authorize

CONDITIONS

* An escrow account is established to cover technical and legal expenses incurred by the City of Bemidji as part of the plan review. The applicant is responsible for all costs incurred by the City during plan review. If the escrow amount drops below 10% of the original deposit amount the City may require submittal of an additional escrow deposit sufficient to cover any anticipated expenses. Upon determination by the City that the project is complete or expired, the City will return the remaining escrow deposit to the applicant.

* A variance shall expire and become void if it is not acted upon within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the required work are mostly complete. The City of Bemidji Planning Board may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

FEES:	<u>Paid</u>	<u>Due</u>
Planning Escrow Deposit	\$500.00	\$0.00
Variance Application Fee (includes Beltrami County Recording fee)	\$500.00	\$0.00
Totals :	\$1,000.00	\$0.00

REQUIRED INSPECTIONS

Planning Initial Site Visit

Variance Inspection Follow Up (11 months from Approval)

Variance Request Supporting Info

- John Hamrin
- 1725 S Lake Irving Dr SW
- Request approval for an 12' x 24' deck
 - This would result in a setback of 42'11" at closest point from surveyed ordinary high water level.
 - 7'1" encroachment on 50' (<15%)
 - The kitchen sliding glass door currently has a jam to prevent opening and falling.
 - 3 out of 4 survey monuments were found for measurements.
 - House distance from Lake Irving unchanged from that shown in 1989 Certificate of Survey
 - Land usage is under 25%

Alternatives

- Front facing stairs would block the basement sliding door
- Side yard open for yard access and setback
 - Not a good kitchen door deck exit option- would require a 2nd variance
 - 12' to lot line
 - 10' setback required



In addition to the kitchen egress, the proposed deck location also addresses an elevation risk with the tall retaining wall.

Deck Here 24' wide, 12' out towards the lake

Deck Here, short steps next to A/C



Deck Here

Deck Here, short steps next to A/C

In addition to the kitchen egress, the proposed deck location also addresses an elevation risk with the tall retaining wall.

Front of house :



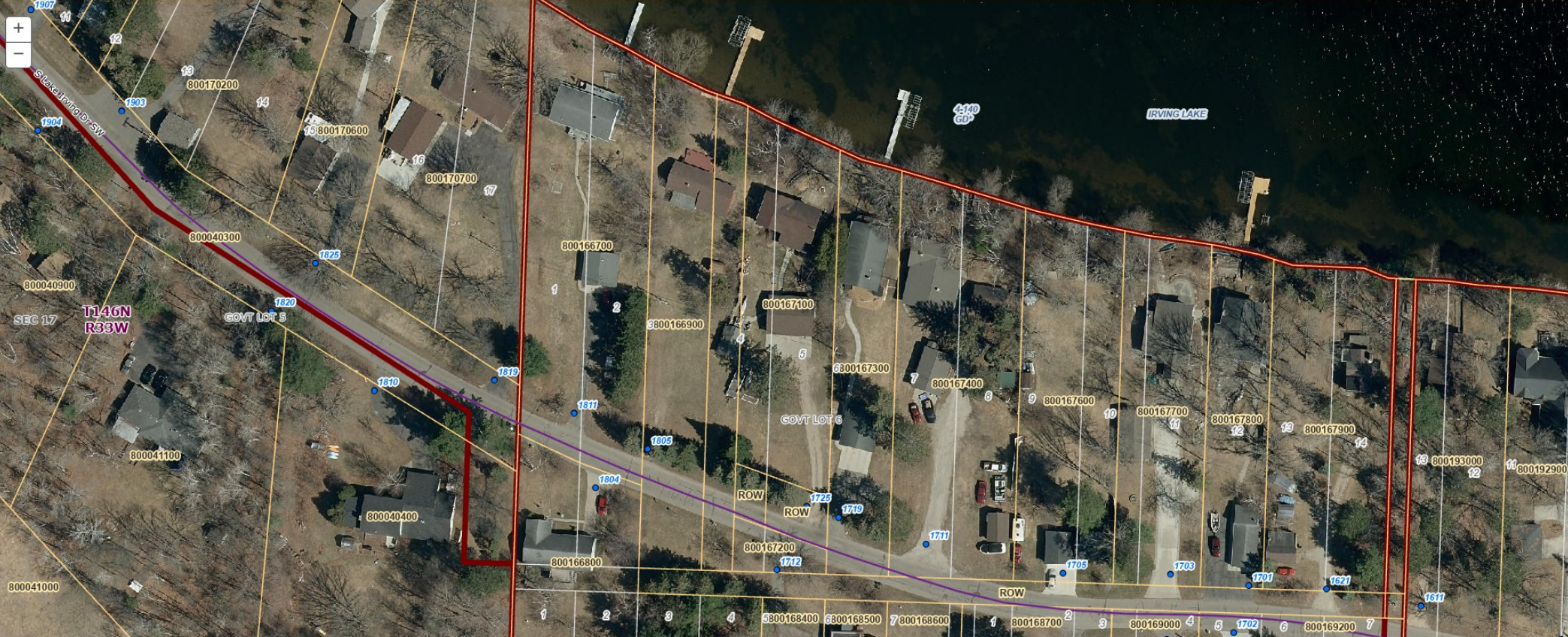
Legal Description

SECT-17 TWP-146 RANGE-033 AL SMART'S
ADDITION TO BEMIDJI LOT-004 BLOCK-001
E25' OF LOT 4 & LOT 5 LESS THAT PART
THEREOF LYING S'RLY OF ARAGON AVE
WHICH IS ESTABLISHED ROAD OR STREET
RUN IN E'RLY & W'RLY DIRECTION ACROSS
SAID LOTS

Beltrami County

Map navigation and tool icons:

- Zoom In, Zoom Out, Pan, Zoom Prev, Zoom Next, Zoom Select, Zoom Extent
- Clear, Search Commands, Identify, Legend, Results View
- Buffer, XY, Draw Tools, Measure, Reports, Print Map Reports



Woods, not mowed

Steps to Dock

Tall Retaining Wall

Trees / Shrubs

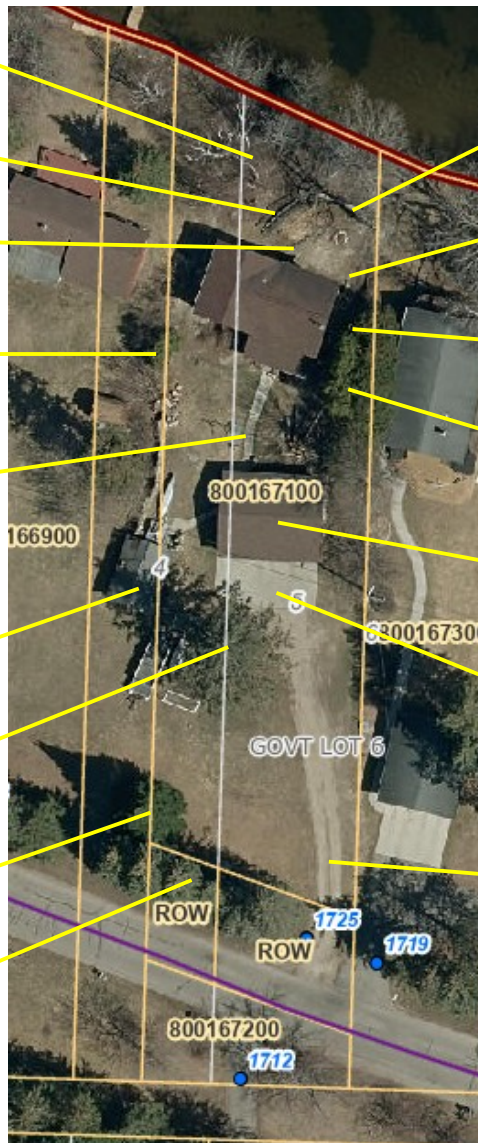
Sidewalk, house to garage,
along W garage to apron,
branch to little garage

Little garage

Large Pine

Large Pine

Row of Pines



Short Retaining Wall

Short Retaining Wall

Short Retaining Wall

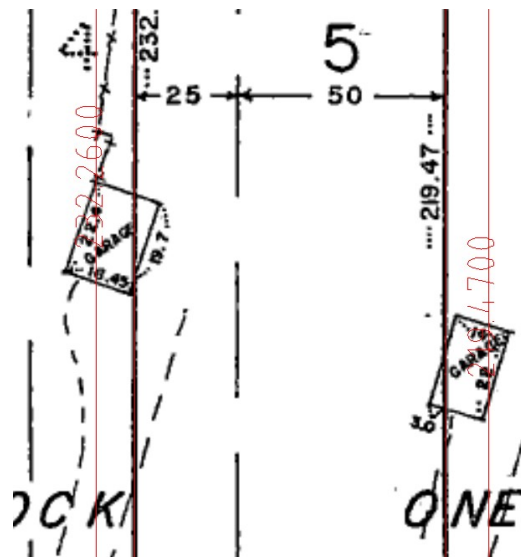
Cedar Trees

Main Garage, wood rack on
E side under eaves

Garage Apron

Sand Driveway

Land Coverage <25%



Left garage is my little garage

Right garage (neighbors) no longer exists

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Upper Calculation:
Little Garage area is only that which is actually inside the 1725 lot total area

Lower Calculation:
Little Garage area includes the portion not on the lot used to calculate the lot area, not correct but shown for reference

Easements

- Utility, Below Ground Only, Near Road
 - Ottertail Power
 - Midco Cable
- W Neighbor
 - My little garage (mostly on their lot) in exchange for 10' of shoreline usage, written agreement

- NE Black Dot Survey Monument
- Found 1989 survey
- 14'4" from East side of the house
 - Perpendicular to the wall
 - Agrees with Certificate of Survey, CAD and NW boundary



NE Black Dot Survey Monument to NE House Corner



Tape measurements and CAD / Survey agree

NE Survey Monument to SE House Corner

- CAD / Survey / Measurements Agree



NW Survey Monument to SW House Corner



- CAD / Survey /
Measurements Agree

- NW Survey Monument Marker
- Set 1989
- Shown- distance from the NW house corner
 - Agrees with survey/CAD



- SW Survey Monument Marker
- Set 1989



Packet Distribution List

City of Bemidji – V-2025-0002

	<u>Contact</u>	<u>E-MAILED</u>	<u>US Mailed</u>
<input checked="" type="checkbox"/>	Applicant / Representative	5/5/2025	_____
<input checked="" type="checkbox"/>	City Building Department	5/5/2025	_____
<input checked="" type="checkbox"/>	City Attorney	5/5/2025	_____
<input checked="" type="checkbox"/>	City Engineer	5/5/2025	_____
<input checked="" type="checkbox"/>	City Manager	5/5/2025	_____
<input type="checkbox"/>	City Community Development (Vacant)	_____	_____
<input checked="" type="checkbox"/>	City GIS Department	5/5/2025	_____
<input checked="" type="checkbox"/>	City Police Department	5/5/2025	_____
<input checked="" type="checkbox"/>	City Fire Department	5/5/2025	_____
<input type="checkbox"/>	City Parks Department	_____	_____
<input type="checkbox"/>	Beltrami County ESD/SWCD	_____	_____
<input type="checkbox"/>	Beltrami County Recorder	_____	_____
<input type="checkbox"/>	Beltrami County GIS Department	_____	_____
<input type="checkbox"/>	Beltrami County Sheriff	_____	_____
<input type="checkbox"/>	Beltrami County Engineer / Highway	_____	_____
<input type="checkbox"/>	Beltrami County Natural Resources	_____	_____
<input type="checkbox"/>	MnDNR Trails	_____	_____
<input checked="" type="checkbox"/>	MnDNR Waters	5/5/2025	_____
<input type="checkbox"/>	MnDNR District	_____	_____
<input type="checkbox"/>	MnDOT	_____	_____
<input type="checkbox"/>	Airport	_____	_____
<input type="checkbox"/>	Bemidji School District	_____	_____
<input type="checkbox"/>	MPCA Closed Landfill Program	_____	_____
<input type="checkbox"/>	U.S. Army Corps of Engineers	_____	_____
<input type="checkbox"/>	Minnesota Chippewa Tribe	_____	_____
<input type="checkbox"/>	Red Lake Nation DNR	_____	_____
<input type="checkbox"/>	White Earth Nation DNR	_____	_____
<input type="checkbox"/>	Leech Lake Band DRM	_____	_____
<input type="checkbox"/>	Bemidji Sustainability Commission	_____	_____
<input checked="" type="checkbox"/>	Other: Planning & Zoning Attorney	5/5/2025	_____



Planning and Zoning Department
City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

May 5, 2025

City of Bemidji – V-2025-0002: - John Hamrin is requesting a Variance from the OHWL setback and lot width requirements to build an attached lakeside deck on an existing lot of record in the R-4 Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake). The subject property is located at 1725 S Lake Irving Dr SW (PIN #80.01671.00) in the City of Bemidji.

The parcel limited legal description is as follows:

SECT-17 TWP-146 RANGE-033 AL SMART'S ADDITION TO BEMIDJI LOT-004 BLOCK-001 E25' OF LOT 4 & LOT 5 LESS THAT PART THEREOF LYING S'RRLY OF ARAGON AVE WHICH IS ESTABLISHED ROAD OR STREET RUN IN E'RRLY & W'RRLY DIRECTION ACROSS SAID LOTS.

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, May 22nd, 2025**, at **5:30 p.m.** in the Council Chambers at Bemidji City Hall or may be viewed on Local Channel 2.

If you have any comments, you may present them to the Commission at that time. It would be encouraged to direct your comments in writing to the Planning and Zoning Planner assigned to the Case, Melissa Fahrenbruch's attention at the Planning office at 317 4th Street NW, or by email at **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, May 16, 2025**, so they may be incorporated into our report to the Planning and Zoning Commission. The report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](#)) and at city hall. Attached is a copy of the application and other supporting documentation.

If you have any questions or need further information, please feel free to contact our office at 218-759-3579 or email the planner assigned to the case (see email address above). City departments may access through SmartGov application **V-2025-0002**.

Respectfully,

Melissa Fahrenbruch
Assistant Planner
City of Bemidji Planning and Zoning Department



Planning & Zoning Department
City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

May 5, 2025

Dear Property Owner:

The City of Bemidji Planning and Zoning Commission will conduct a public hearing to discuss the following application:

City of Bemidji – V-2025-0002: - John Hamrin is requesting a Variance from the OHWL setback and lot width requirements to build an attached lakeside deck on an existing lot of record in the R-4 Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake). The subject property is located at 1725 S Lake Irving Dr SW (PIN #80.01671.00) in the City of Bemidji.

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This public hearing will be held on **Thursday, May 22nd, 2025, at 5:30 p.m.** The meeting will be held in the Council Chambers of the Bemidji City Hall located at 317 4th Street NW or may be viewed on local Channel 2. You are invited to attend this public hearing, express your opinions on the proposal at the hearing, if not able to attend, by email (**preferred method**), letter, or phone call to the Planning and Zoning Department. If possible, your written comments should be submitted by **Friday, May 16th, 2025**, so they may be incorporated into our report to the Planning Commission. **Our report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](#)) and at city hall.**

If you have any questions, please feel free to contact us at (218) 759-3579, or email comments to **SGAdmin@ci.bemidji.mn.us**

Respectfully,

Planning and Zoning Staff

CHERYL J BRIDGMAN
1705 S LAKE IRVING DR SW
BEMIDJI, MN 56601

KATHERINE KUEFLER
1703 S LAKE IRVING DR SW
BEMIDJI, MN 56601

AMI C AALGAARD
LISA MARIE WEBER
1701 S LAKE IRVING DR SW
BEMIDJI, MN 56601

CHARLES P STONE
DANIELLE B STONE
1706 S LAKE IRVING DR SW
BEMIDJI, MN 56601

JOHN D HOOD
1704 S LAKE IRVING DR SW
BEMIDJI, MN 56601

WAYNE THORSON
SANDRA THORSON
1804 S LAKE IRVING DR SW
BEMIDJI, MN 56601

REBECCA HULETT
3104 24TH AVE S
GRAND FORKS, ND 58201

MITCHELL J DEERE
KAYLA R DEERE
1903 S LAKE IRVING DR SW
BEMIDJI, MN 56601

TAYLOR H ZIMBELMAN
1810 S LAKE IRVING DR SW
BEMIDJI, MN 56601

HAROLD R AYLESWORTH
NOEMI M AYLESWORTH
1719 S LAKE IRVING DR SW
BEMIDJI, MN 56601

LEE D FALK
1712 S LAKE IRVING DR S
BEMIDJI, MN 56601

DAVID J CUPERUS
STEPHANIE A CUPERUS
PO BOX 1771
BEMIDJI, MN 56619

KEVEN D MEACHAM
SUE E MEACHAM
1811 S LAKE IRVING DR SW
BEMIDJI, MN 56601

KATIE MEULEBROECK
ERIC MEULEBROECK
1711 S LAKE IRVING DR SW
BEMIDJI, MN 56601

CLAY M ANDERSON
BUNNIE M ANDERSON
524 S 1ST AVE W
MELROSE, MN 56352

BRIAN THOMAS KUHRKE
TANIA SUE KUHRKE
1819 S LAKE IRVING DR SW
BEMIDJI, MN 56601

MARK E STOLTE
KARI A STOLTE
212 BERRY ST
PUNTA GORDA, FL 33955

CITY OF BEMIDJI
317 4TH ST NW
BEMIDJI, MN 56601

JOHN EDWARD HAMRIN
1725 S LAKE IRVING DR SW
BEMIDJI, MN 56601



Maxar, Microsoft, Beltrami County, Pro-West & Associates, Inc.

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.

Aerial Map

1:1,128

Date: 5/1/2025

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



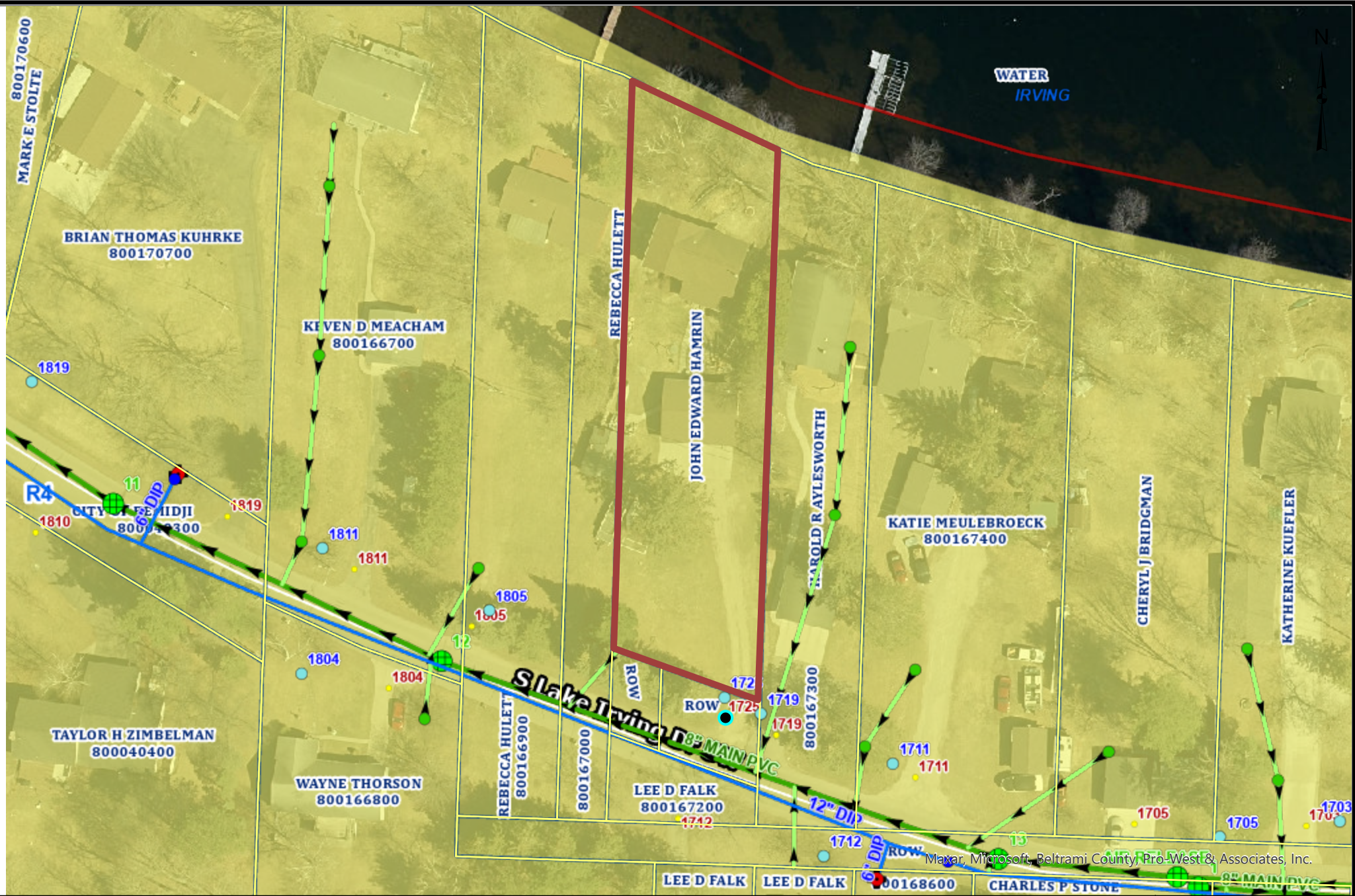


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<h1>Buffer Map</h1>	
1:4,514	Date: 5/1/2025
<small>This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.</small>	

Maxar, Microsoft, Beltrami County, Pro-View & Associates, Inc.

Page 48 of 50



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Zoning Map

1:1,128	Date: 5/1/2025
<small>This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.</small>	

Maxar, Microsoft, Beltrami County Pro-West & Associates, Inc.



Bemidji
First City On The Mississippi

Page 49 of 50



AFFIDAVIT OF PUBLICATION

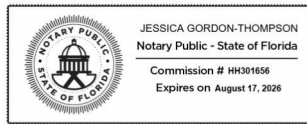
State of Florida, County of Orange, ss:

Ankit Sachdeva, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of the The Bemidji Pioneer, a newspaper printed and published in the City of Bemidji, County of Beltrami, State of Minnesota.

1. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and the day of the week upon which the public notice attached/copied below was published in the newspaper are as follows: Saturday, May 10, 2025
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: \$13.00 per column inch.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in BELTRAMI County. The newspaper complies with conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

Ankit Sachdeva

(Signed) _____



VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 05/12/2025

J. Tra

Notary Public
Notarized remotely online using communication technology via Proof.

CITY OF BEMIDJI PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARINGS & MEETINGS

NOTICE IS HEREBY GIVEN, that on **Thursday, May 22, 2025, at 5:30 PM** or as soon thereafter as possible, the City of Bemidji Planning and Zoning Commission will conduct a Public Hearing in-person in the Council Chambers of Bemidji City Hall, located at 317 4th St. NW, Bemidji MN, and broadcasted on Channel 2, regarding the following request:

Variance Request: - V-2025-0002:
- John Hamrin is requesting a Variance from the OHWL setback and lot width requirements to build an attached lakeside deck on an existing lot of record in the R-4 Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake) located at 1725 S Lake Irving Dr SW (PIN #80.01671.00) in the City of Bemidji.

All interested parties are invited to attend the public hearing(s) and comment on the proposal(s). If you are unable to attend in person, comments can be submitted by email to SGAdmin@ci.bemidji.mn.us (preferred method), letter, or phone call to the Planning and Zoning Department. Call 218-759-3579 or visit our website at www.ci.bemidji.mn.us for more information. If possible, your written comments should be submitted by **Friday, May 16, 2025**, so they may be incorporated into the staff report to the Planning Commission. (May. 10, 2025)