

BEMIDJI PLANNING BOARD REGULAR MEETING AGENDA

Monday, June 9, 2025

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



ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

MINUTES

- 1) **Planning Board Meeting: May 12, 2025**

CONSENT AGENDA

- 2) **Resolution to Revoke an Interim Use Permit - Parcels 800422900 & 800423000 - South Car Savings**

VISITORS WITH BUSINESS BEFORE THIS BOARD – NOT ON AGENDA

Public Comment – Please give your name, address, and state your concern/comment. Visitors may share their concerns with the Planning Board on any issue, which is not already on the agenda. Each person will have 3 minutes to speak. The Chair reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. The Chair may also limit the number of individual presentations on any issue to accommodate the scheduled agenda items. **COMMENTS WILL BE TAKEN UNDER ADVISEMENT BY THE PLANNING BOARD.**

NEW BUSINESS

- 3) **Consider Variance Request - Parcel 800167100 - John Hamrin**
- 4) **Wolfe Center Update - Parcel 800097900 - Reed Olson**

STAFF REPORTS

- 5) **Director's Report**
- 6) **Site Analyst and Enforcement Report**

UPCOMING MEETINGS

- 7) **Planning Board Meeting: Monday, July 14, 2025, 5:30 pm**

ADJOURN

PROCEEDINGS
BEMIDJI, MINNESOTA
REGULAR MEETING - May 12, 2025

Pursuant to due call and notice, a regular meeting of the Planning Board of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, May 12, 2025 at 5:30 PM in the Council Chambers, Chair Thayer presiding.

DRAFT

ROLL CALL

Upon roll call, the following board members were declared present: Prince, Fiskevold Gould (5:33 pm), Peterson, Dickinson, Rivera, Eaton, Thayer.

Staff Present: Planning Director Jamin Carlson, Compliance Inspector & Site Analyst David Wielenberg, Administrative Assistant Ainslee Krause, City Manager Rich Spiczka, City Engineer Sam Anderson (via WebEx).

Others Present: Troy Gilchrist (Town Law Center PLLP, via WebEx), Tim Marco (Marco McLane Development), Dave Hengel (Greater Bemidji).

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

Motion by board member Dickinson, seconded by board member Eaton. Ayes: Prince, Thayer, Peterson, Eaton, Dickinson, Rivera. Nays: None. Motion carried by unanimous voice vote.

MINUTES

April 14, 2025 Planning Board Meeting

Board members had the following comments:

- Prince inquired if his requested edit had been made regarding his abstention from the vote on Torque Machinery.
- Staff confirmed that the change had been made.

Motion by board member Eaton, seconded by board member Peterson, approving minutes as amended. Ayes: Prince, Thayer, Peterson, Eaton, Dickinson, Rivera. Nays: None. Motion carried by unanimous voice vote.

CONSENT AGENDA

The following Consent Agenda items were presented for approval. Motion by Prince, seconded by Eaton, to approve Consent Agenda items as follows. Motion carried unanimously.

Consider Extension Request for a Variance and Conditional Use Permit - Parcel 800036100 - Gracewin Cooperative

VISITORS WITH BUSINESS BEFORE THIS BOARD – NOT ON AGENDA

No appearance.

NEW BUSINESS

Consider Variance Request - Parcel 800306900 - Murray Surveying representing Scott & Leslie Grover

Carlson presented the first 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

#80.03069.00) 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.

The Planning Commission recommends approval of a variance for parcel #800306900, 5350 Elliot Rd NE, with the conditions and findings of fact presented in the packet.

Board members made the following comments regarding the request:

- Prince requested clarification on neighbor's concern. Staff addressed that a building that is encroaching on the neighbor's property will be removed, and the proposed garage will be 24 feet from the side lot line.

Motion by Prince, seconded by Peterson, to approve Resolution 2025-12 for a variance for parcel #800306900, 5350 Elliot Rd NE, with the findings of fact and conditions as presented. Motion carried by the following roll call vote: Ayes: Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer. Nays: None.

Consider Interim Use Permit Request - Parcel 800362900 - Vetter & Wald LLP representing Northwest Tire

Carlson presented the second planning case request: Vetter & Wald LLP (NW 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 for the subject property located at 402 Paul Bunyan Dr SE, parcel 800362900, in the City of Bemidji. The Planning Commission recommends approval of an Interim Use Permit (IUP) for a semi-trailer exceeding 400 square feet maximum, with the conditions and findings of fact presented in the packet.

Board members made the following comments:

- Rivera and staff discussed future review of the interim use permit.
- Prince requested clarification on the commission's recommendation regarding the screening and paving. Staff clarified that the commission was in support of current screening and left the hard surface requirement up to the board to decide the specifics.
- Prince addressed support for the current screening and the least amount of paving, specifying support for paving only under the axles and jack stands.
- Peterson expressed support for current screening and for minimal impervious surface under tires and axles.

Motion by Dickinson, seconded by Eaton, to approve Resolution 2025-13 for an Interim Use Permit for a semi-trailer exceeding 400 square feet maximum for outdoor storage purposes for the property located at 402 Paul Bunyan Dr SE, parcel 800362900, with the findings of fact and conditions as presented and with board member Prince's suggestions regarding the pavement. Motion carried by the following roll call vote: Ayes: Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer. Nays: None.

Consider Concept Planned Unit Development Request for Railroad Corridor - Parcel 800034499 - Marco McLane Development representing Greater Bemidji

Carlson presented the third 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 on the subject property located at 101 Minnesota Ave NW, parcel 80.00344.99, in the City of Bemidji (also known as the rail corridor).

The Planning Commission recommends approval of a Concept Planned Unit Development (PUD)

to develop a multi-phase project, with the conditions and findings of fact presented in the packet.

Board members made the following comments regarding the request:

- Rivera inquired about current businesses along the corridor, notice dates for leaseholders, and impact to surrounding business owners.
- City Manager Spiczka addressed the current plan and noted that he is in communication with the leaseholders. Spiczka addressed that he would obtain the required lease notice dates and would report back on that, and identified that the city currently has three leases, one in default and two in good standing.
- Carlson addressed that with the current layout there should be no negative impact on surrounding business owners.
- Prince requested clarification from attorney on scope of questions regarding the project.
- Gilchrist addressed that if questions are getting into business operations, those would be best left to City Council.
- Prince inquired if the park will be privately or publicly owned.
- Tim Marco, Marco McLane Development, addressed that the current plan for the park is for it to be private.
- Prince inquired about next steps. Carlson clarified that the next steps are outlined in the memorandum and would include the preliminary review of the planned unit development.
- Peterson expressed support for the project. Peterson and staff discussed a traffic study.

Chair Thayer called for a recess of the Planning Board meeting at 6:00 pm. Meeting reconvened at 6:01 pm with all members present.

Board members made additional comments:

- Anderson discussed the project and recommended a traffic study.
- Fiskevold Gould inquired about keeping the neighbors informed of the process.
- Dave Hengel, Greater Bemidji, addressed that he is in conversations with neighboring businesses.
- Thayer requested clarification on the trail. Carlson noted that concerns were raised at the commission level regarding the 90-degree turn for snowmobiles and the groomers.
- Thayer inquired about private utilities. Marco addressed that Marco McLane and Greater Bemidji are in conversations with the utility companies.
- Thayer expressed concern for the current plan for the trail. Marco addressed that there are several renditions in the works for the trail.
- Rivera requested clarification on the deputy fire chief's comments. Carlson clarified. Marco addressed that they amended their site plan after receiving feedback from the deputy fire chief.

Motion by Prince, seconded by Peterson, to approve a Concept Planned Unit Development (PUD) to develop a multi-phase project which would include a YMCA Community Wellness Center and other future developments on the property located at 101 Minnesota Ave NW, parcel 800034499, with the findings of fact and conditions as presented. Motion carried by the following roll call vote: Ayes: Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer. Nays: None.

STAFF REPORTS

Director's Report

- Members discussed.

Site Analyst and Enforcement Report

- Members discussed.

UPCOMING MEETINGS

Monday, June 9, 2025, 5:30 pm - Planning Board Meeting

ADJOURN

There being no further business, motion by Peterson, seconded by Eaton, to adjourn the meeting.
Motion carried. Meeting adjourned at 6:25 p.m.

Respectfully submitted,

Ainslee Krause
Planning & Building Administrative Assistant

CITY OF BEMIDJI PLANNING BOARD

RESOLUTION NO: 2025-17

RESOLUTION REVOKING AN INTERIM USE PERMIT RESOLUTION 2022-15 FOR PARCELS 80.04229.00 & 80.04230.00

WHEREAS, Michael Ettesvold, representing South Car Savings, was approved for an Interim Use Permit to operate an automobile sales lot on parcel 80.04229.00 by Resolution 2022-15 on August 12, 2022, by the Greater Bemidji Area Joint Planning Board.

WHEREAS, Resolution 2022-15 included numerous conditions relating to the lot development on the aforementioned premises; and

WHEREAS, the parcels 80.04229.00 & 80.04230.00 has been inspected multiple times since the IUP was issued and in each inspection was found that no action has been taken; and

WHEREAS, South Car Savings had been allowed additional time following each inspection to comply with the condition #14 of Resolution 2022-15; and

WHEREAS, Condition #14 of the resolution states that if the project was not substantially started then the IUP becomes void, as of June 4, 2025, South Car Savings has not been developed on the property; and

DRAFT

THEREFORE, BE IT RESOLVED that the Planning Board hereby revokes the Interim Use Permit on Resolution 2022-15 on the property for inaction within the 33 months given to substantially start the project.

CITY OF BEMIDJI PLANNING BOARD
State of Minnesota
County of Beltrami

This instrument was acknowledged before me on this 9th day of June 2025 by Audrey Thayer, Planning Board Chair.

Audrey Thayer, Planning Board Chair

Subscribed and sworn to before me
this ____th day of _____, 2025.

Notary Public

The City of Bemidji Planning and Zoning Department

PLANNING CASE: V-2025-0002	PC 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 & ZONING MEMORANDUM

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. PUBLIC COMMENT/PUBLIC HEARING

Commission members made the following comments:

- Peterson requested clarification on the original blueprints and if the addition included a deck and doors leading out. Carlson addressed that those were not shown in the plans for the addition.

Public Hearing opened at 5:37 p.m.

- John Hamrin addressed the history of the property and noted that the most recent addition in 2008 was under his ownership.

- Peterson inquired if the addition included the doors leading to nowhere. Hamrin addressed he is unsure of what was originally submitted, and the sliding glass doors were in the plans from the beginning. Hamrin noted that he did not have the money for a deck at the time.

Public Hearing closed at 5:39 p.m.

III. RECOMMENDATION & FINDINGS

The Planning Commission decided that the conditions are sufficient for approval of the three variances 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

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.

Motion by **Peterson**, second by **Lemmer**, to recommend approval of the variance request for parcel 80.01671.00, with the conditions and findings of fact as presented in the packet.

Ayes: Peterson, Lemmer, Heinonen, Faver.

Nays: None

Abstentions: None

Motion carried unanimously.

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2025-16

RESOLUTION APPROVING VARIANCE FOR PARCEL 80.01671.00

WHEREAS, an application was submitted on April 29, 2025, John Hamrin is requesting Variances from the OHWL & side yard setbacks and lot width requirements to build an attached lakeside 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. 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; and

WHEREAS, the proposed requested variances will be located on parcel 80.01671.00 legally described as:

SECT-17 TWP-146 RANGE-033 AL SMART'S ADDITION TO BEMIDJI LOT-004
BLOCK-001 EAST 25 FEET OF LOT 4 & LOT 5 LESS THAT PART THEREOF LYING
S'RPLY OF ARAGON AVE WHICH IS ESTABLISHED ROAD OR STREET RUN IN
E'RPLY & W'RPLY DIRECTION ACROSS SAID LOTS; and

WHEREAS, this parcel is within the R-4 Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake).; and

WHEREAS, the requested variances meet all requirements, standards and specifications of the City Ordinance; and

WHEREAS, on May 22, 2025, the Planning Commission held a public hearing, after due notice having been provided, on the application and, after providing the Applicant and the public an opportunity to be heard, voted to forward the application to the Planning and Zoning Board with a recommendation that it be approved; and

WHEREAS, the Planning Board has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

WHEREAS, the Planning Board has made the following findings regarding the Variance application request:

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.

NOW, THEREFORE BE IT RESOLVED that the City of Bemidji Planning Board hereby grants the approval of the variances from the OHWL & side yard setbacks and lot width requirements to build an attached lakeside deck on an existing lot of record located at 1725 S Lake Irving Dr SW (PIN #80.01671.00) in the City of Bemidji, with the following 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.

DRAFT

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.

CITY OF BEMIDJI, PLANNING BOARD

State of Minnesota

County of Beltrami

This instrument was acknowledged before me on this 9th day of June 2025 by Audrey Thayer, Planning Board Chair.

Audrey Thayer, Planning Board Chair

Subscribed and sworn to before me
this ___th day of _____, 2025.

Notary Public

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

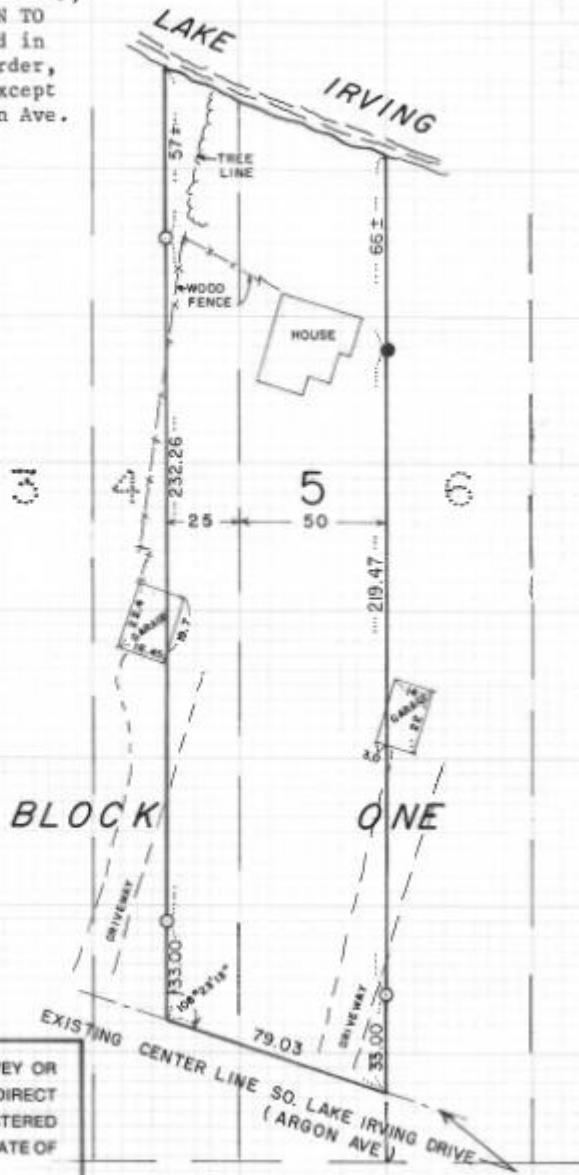
DESCRIPTION:

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

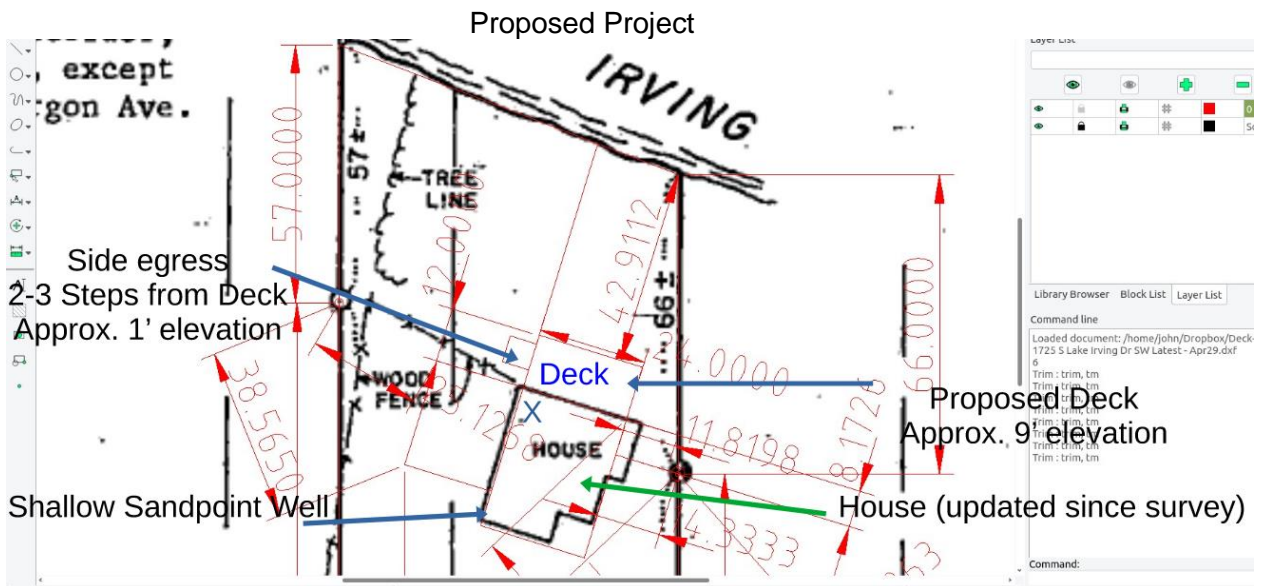
MURRAY SURVEYING, INC.
 Bemidji, Minnesota

File No. 89-47

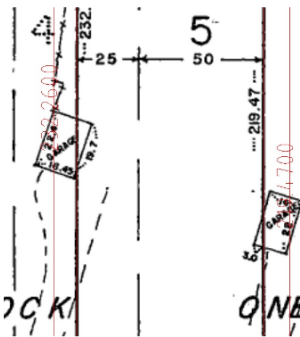
Neighboring property approximate OHWL setbacks:



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?

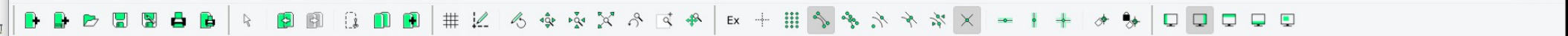
The proposed variance request would fit well within the surrounding area and would not alter the character. Other properties in this area are constructed in a similar manner.

Variance Request Site Plan

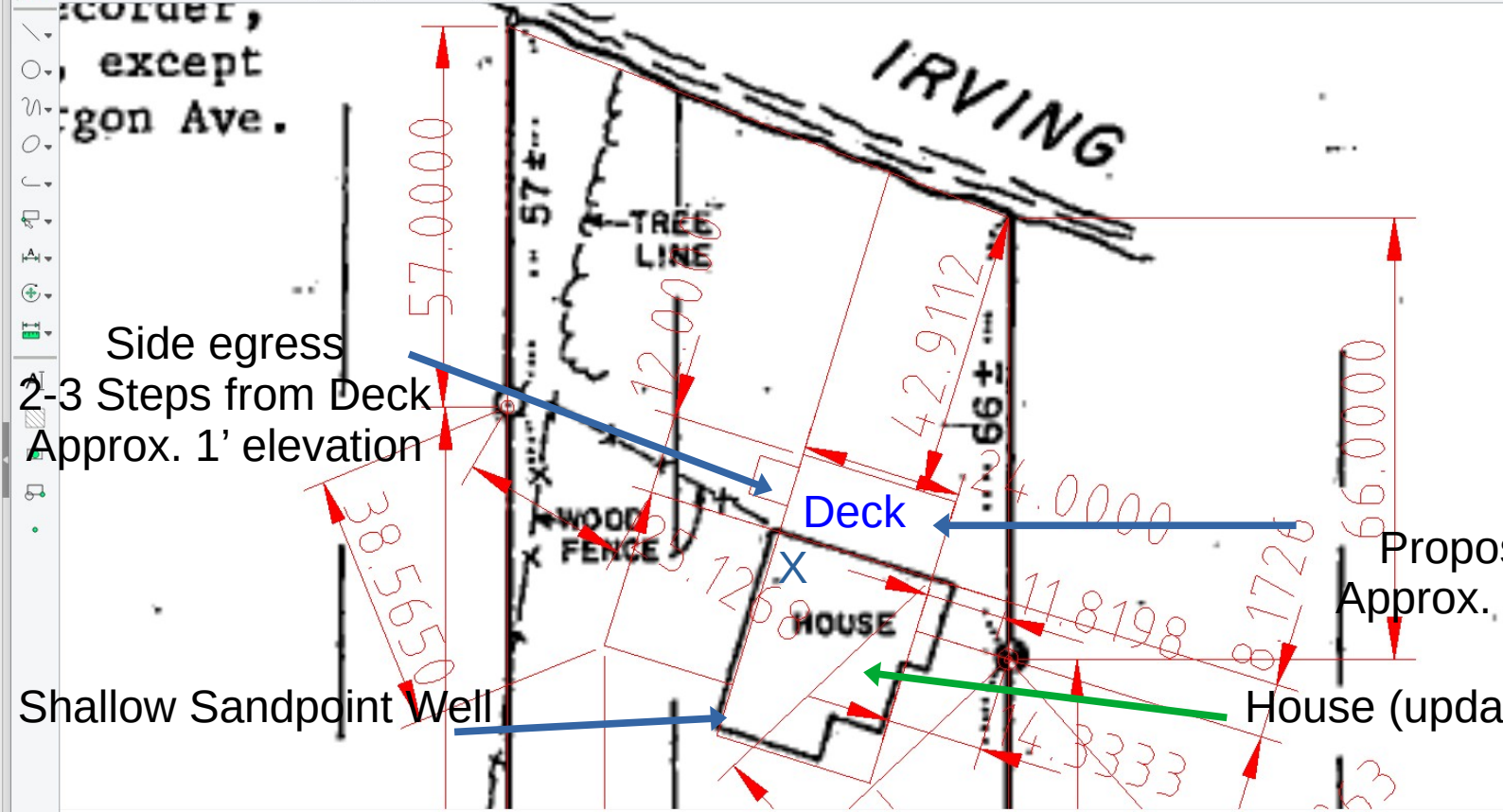
- John Hamrin
- 1725 S Lake Irving Dr SW
- Request approval for an 12' x 24' deck
 - This would result in a setback of 42'11" at closest point from surveyed ordinary high water level.
 - 7'1" encroachment on 50' (<15%)
 - The kitchen sliding glass door currently has a jam to prevent opening and falling.
 - 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

0	Scaleable Survey
---	------------------

Library Browser **Block List** **Layer List**

Command line

```

Loaded document: /home/john/Dropbox/Deck-Planning/Upload/
1725 S Lake Irving Dr SW Latest - Apr29.dxf
6
Trim : trim, tm
Trim : trim, tm
Trim : trim, tm
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Trim : trim, tm
Trim : trim, tm
Trim : trim, tm

```

Command:

CERTIFICATE OF SURVEY

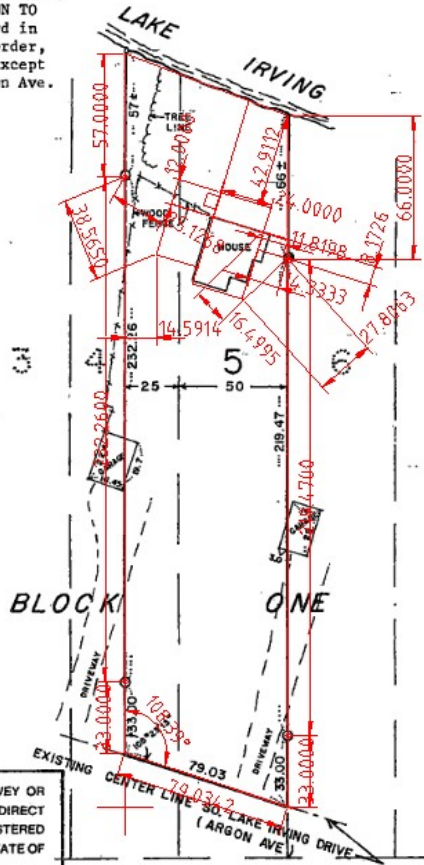
DESCRIPTION:

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

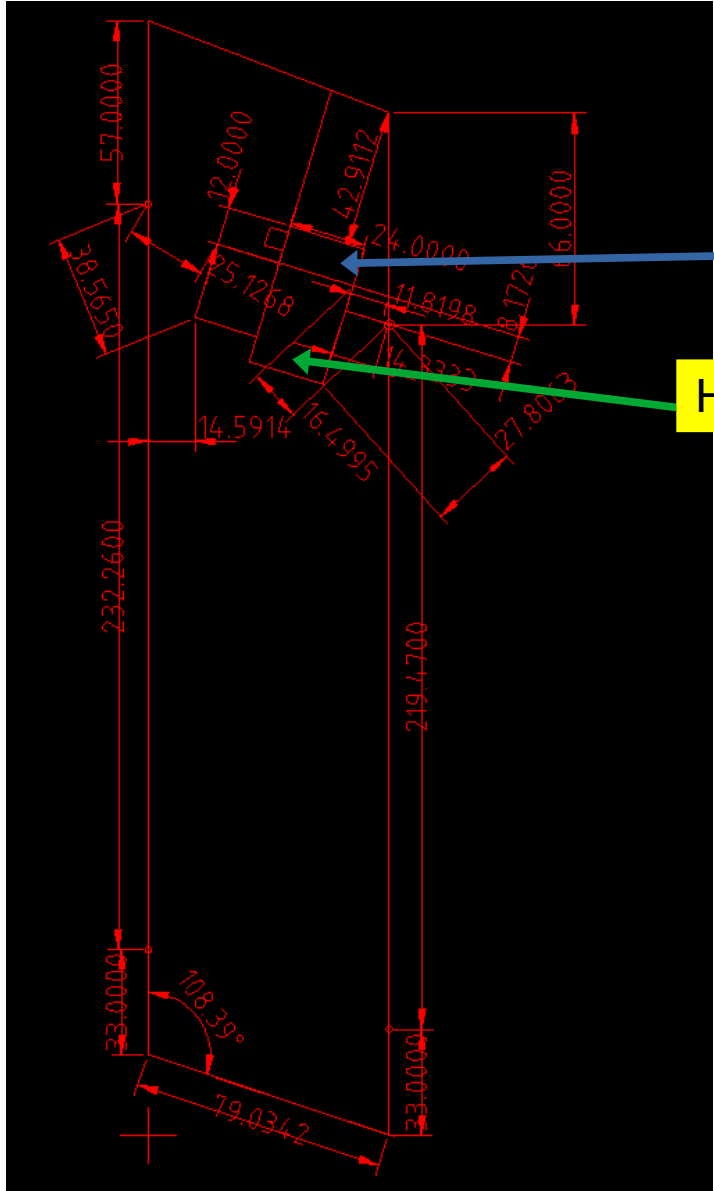


For: GENE MOEN

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

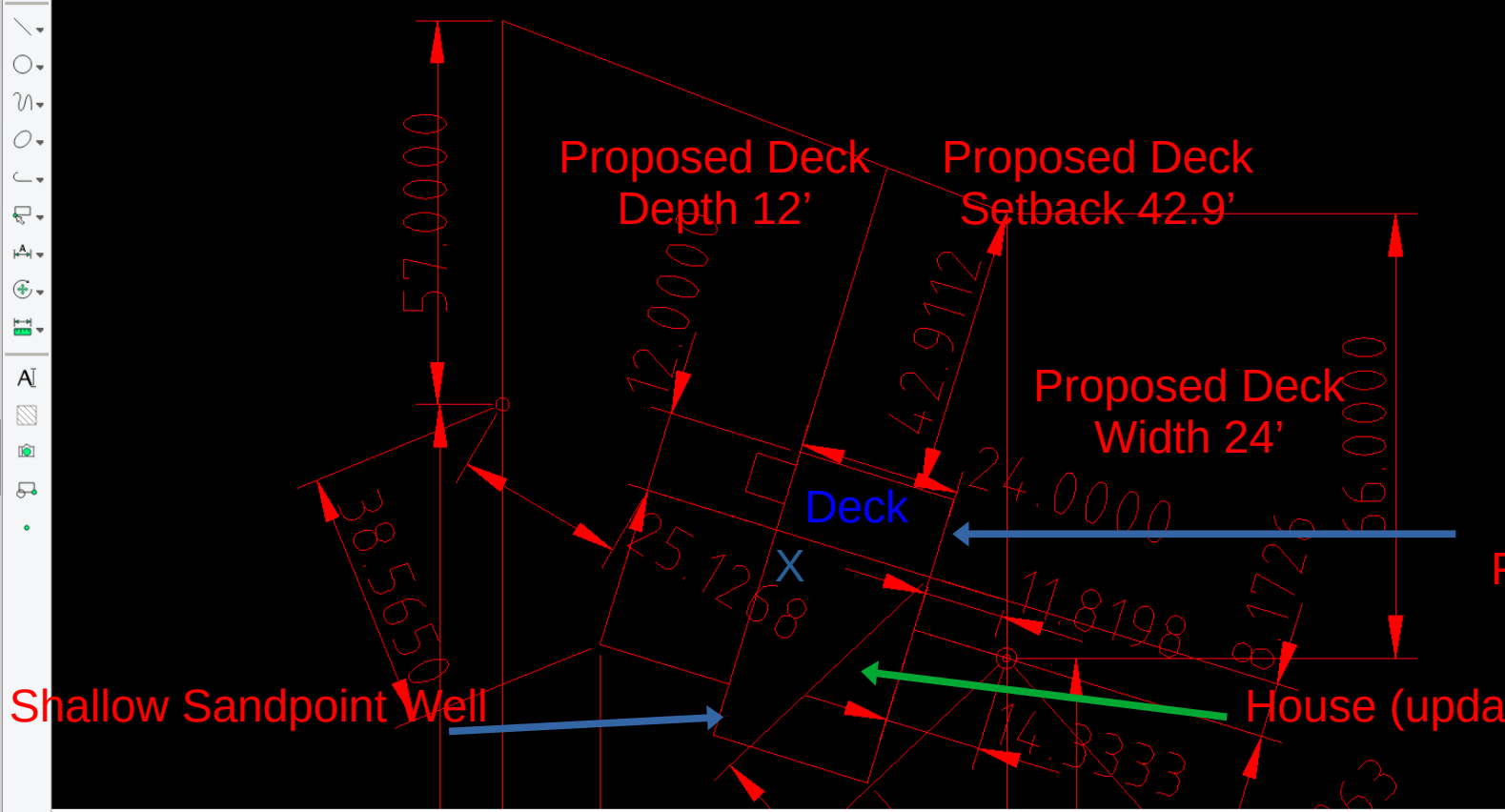


Proposed Deck

House (updated since survey)



By Layer - By Layer - By Layer



Layer List

					0
					Scaleable Survey

Library Browser Block List Layer List

Command line

```

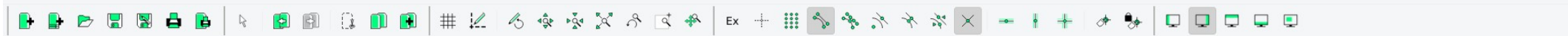
Loaded document: /home/john/Dropbox/Deck-Planning/Upload/
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6
Trim : trim, tm
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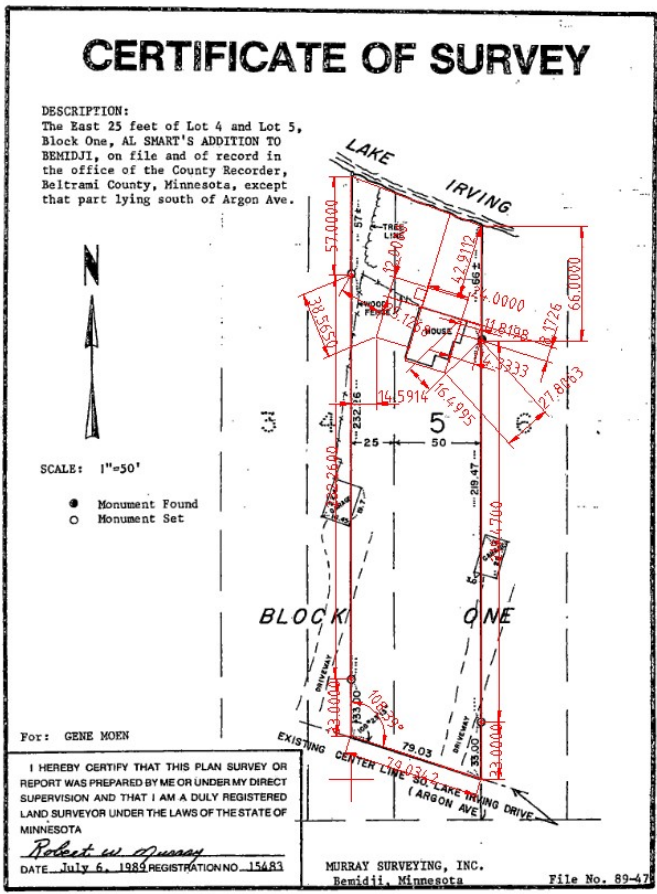
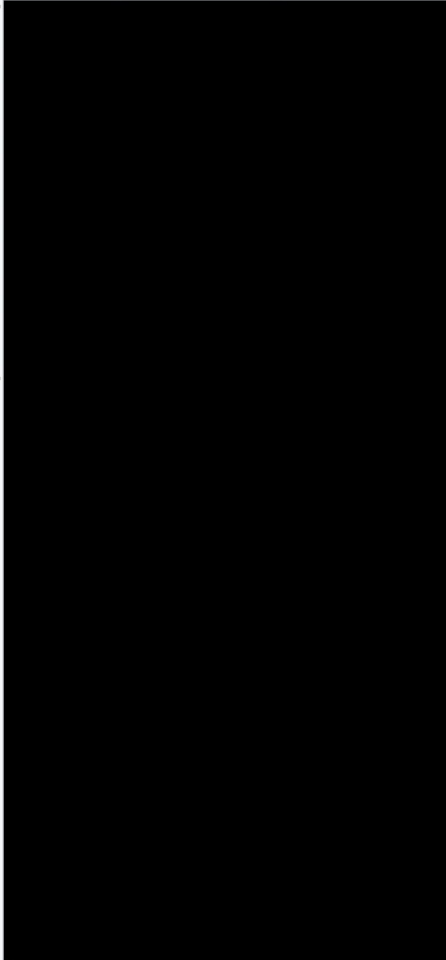
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By Layer - By Layer - By Layer



Layer List

					0
					Scaleable Survey

Library Browser Block List Layer List

Command line

Loaded document: /home/john/Dropbox/Deck-Planning/Upload/1725 S Lake Irving Dr SW Latest - Apr29.dxf
 6
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 Trim : trim, tm
 Trim : trim, tm
 Trim : trim, tm
 Trim : trim, tm

Command:



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321.6594 < 99.67°	321.6594 < 99.67°

Selected Total Length	Current Layer	Grid Status
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PLAT SKETCH
(This is not a survey)

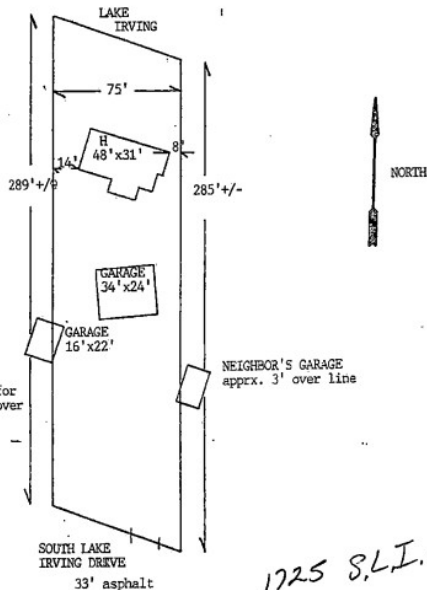
1725 S. Lake Irving Dr
Bemidji, MN 56601

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

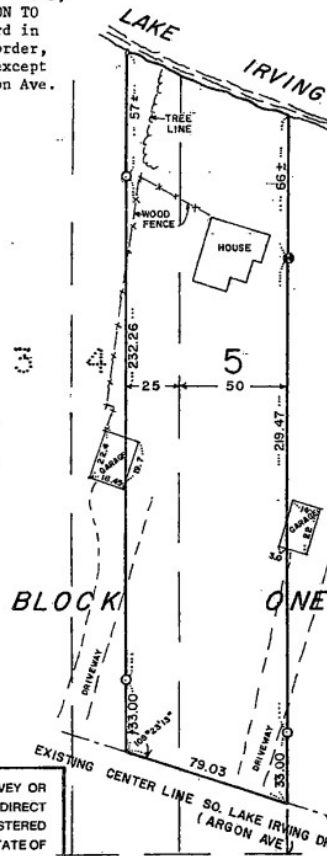
For: GENE MOEN

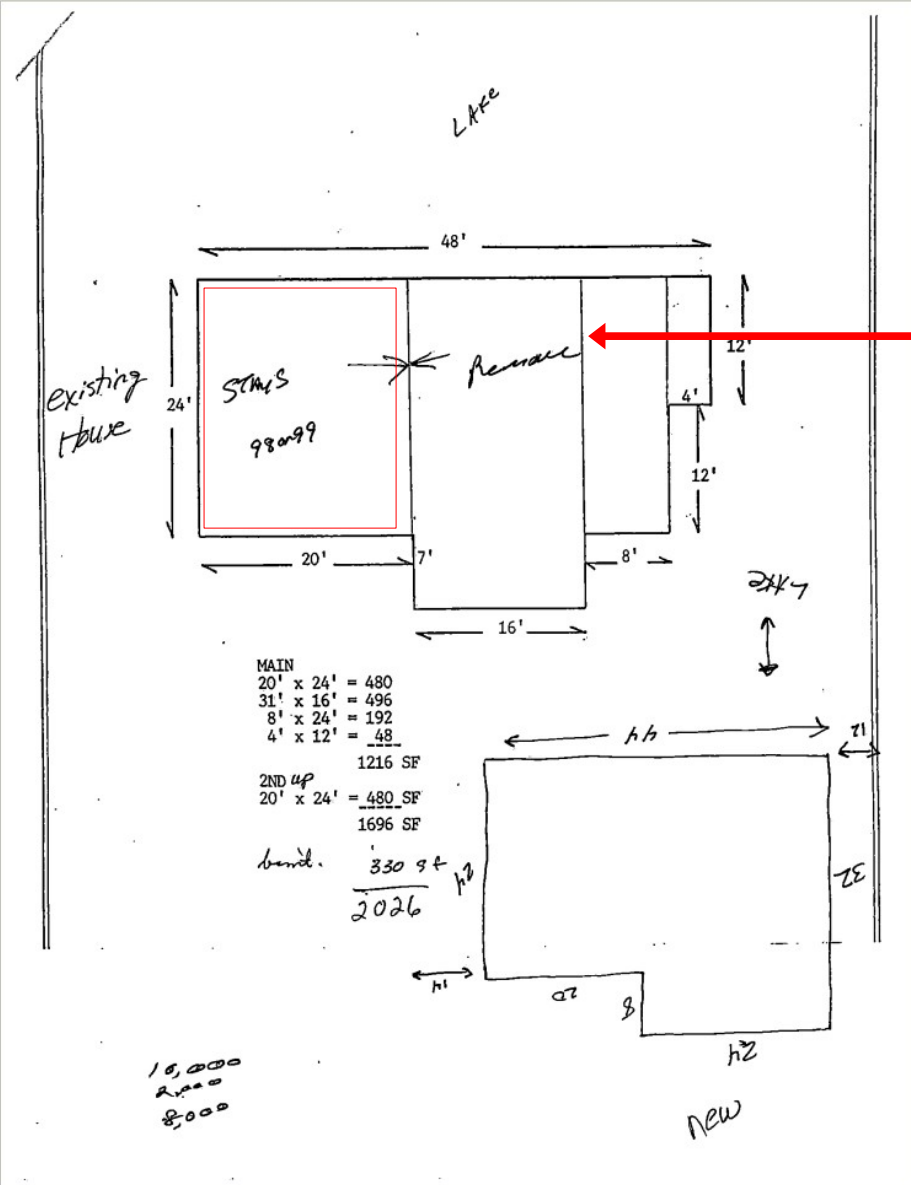
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Robert W. Murray
DATE: July 6, 1989 REGISTRATION NO. 15483

MURRAY SURVEYING, INC.
Bemidji, Minnesota

File No. 89-47





Shown Left: 2008 addition site plan

Certificate of Survey 1989

Shows the house location

Labeled "Remove" in 2008 site plan

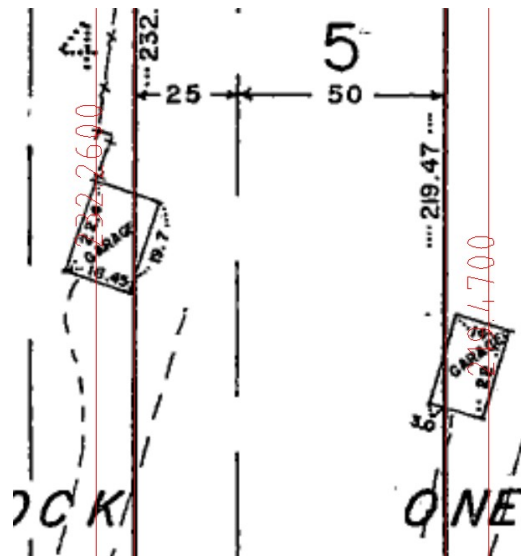
1998 20'x24' addition (20'x24' to the left)

2008 The portion of house from 1989 is replaced with that shown labeled "New"

The distance from the lake to the back wall of the house has not changed from the 1989 Certificate of Survey

1989 Certificate of Survey CAD scaling agrees with monument measurements

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

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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

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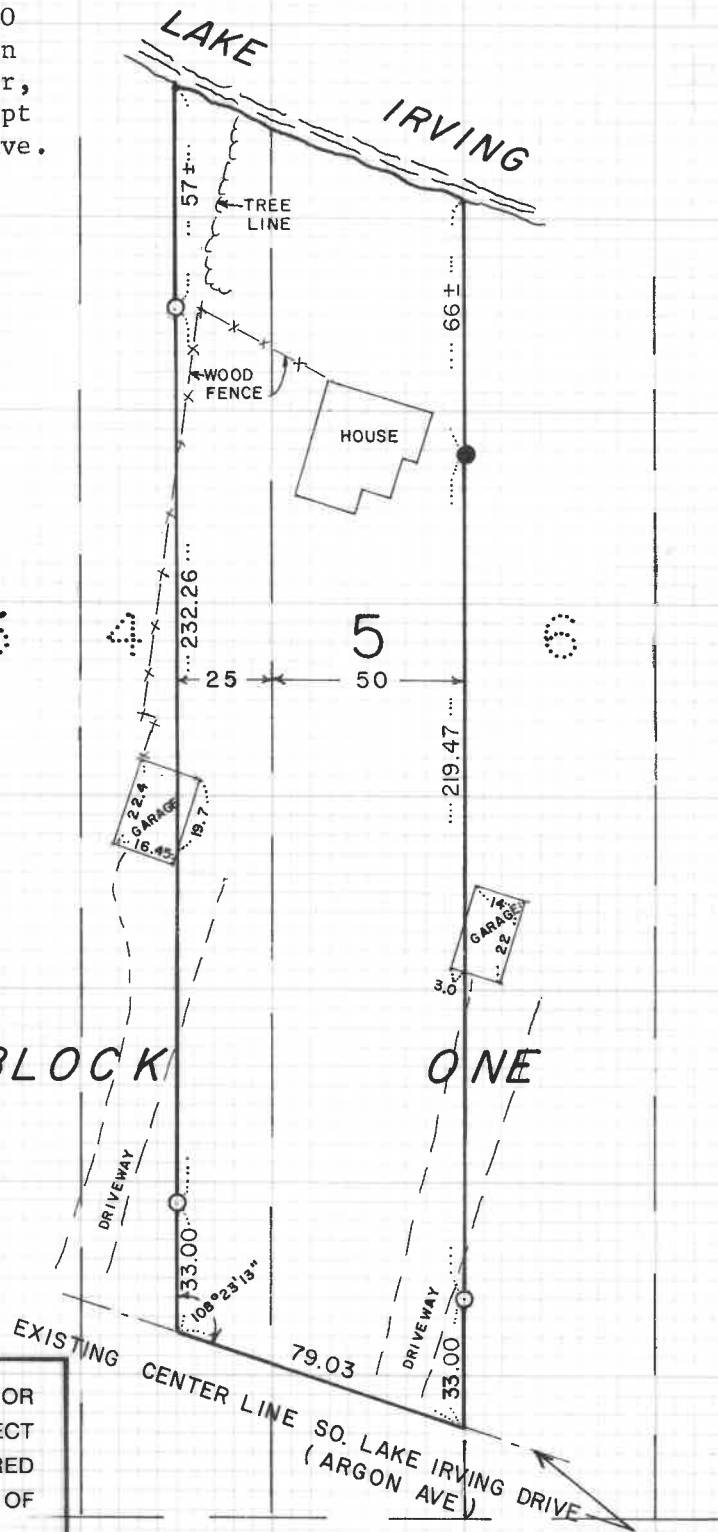
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For: GENE MOEN

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 :

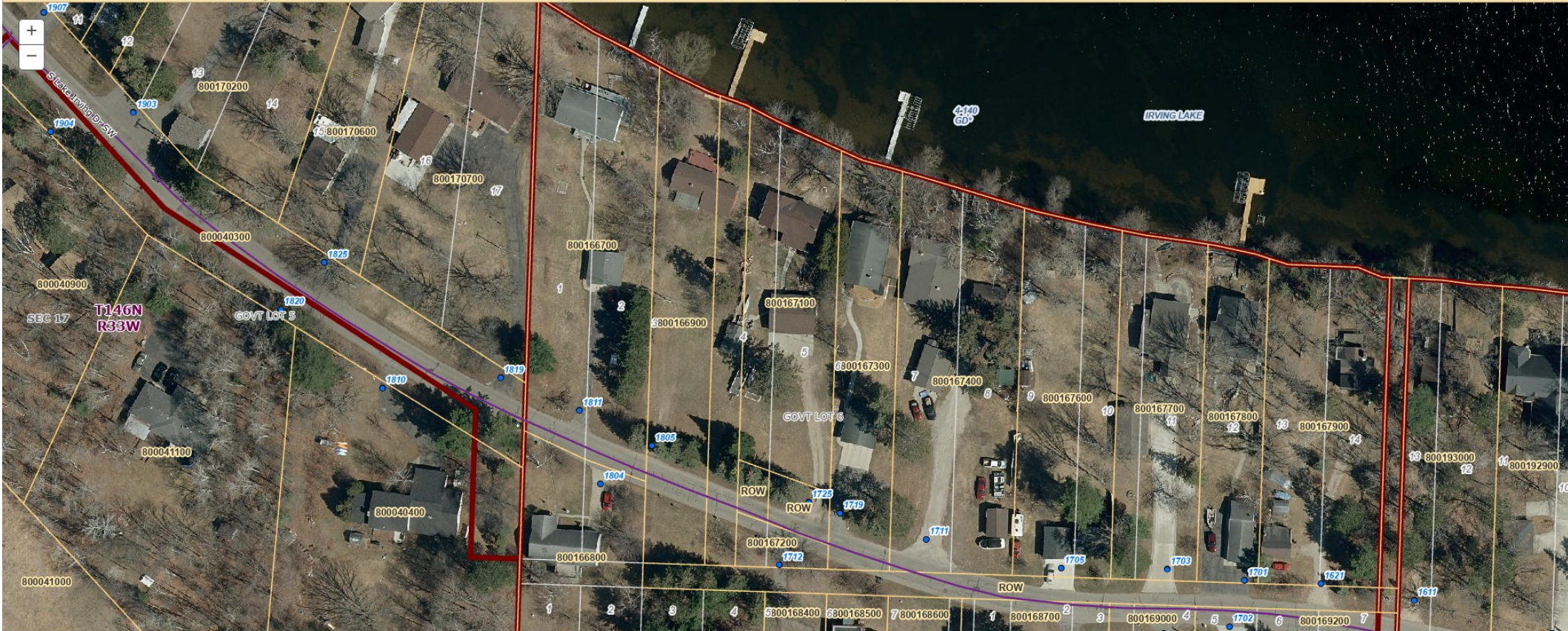


Legal Description

SECT-17 TWP-146 RANGE-033 AL SMART'S
ADDITION TO BEMIDJI LOT-004 BLOCK-001
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THEREOF LYING S'RLY OF ARAGON AVE
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RUN IN E'RLY & W'RLY DIRECTION ACROSS
SAID LOTS

Beltrami County

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

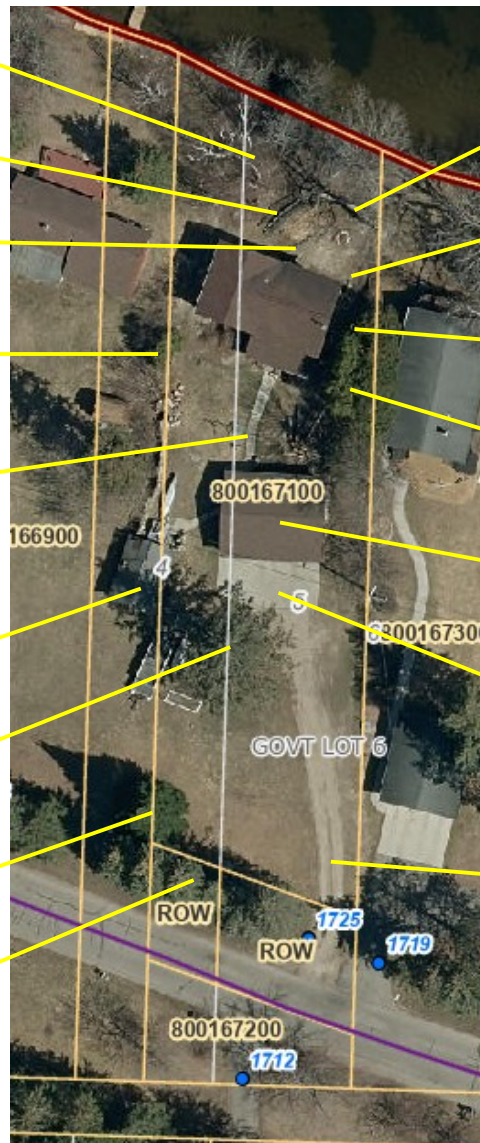
Sidewalk, house to garage,
along W garage to apron,
branch to little garage

Little garage

Large Pine

Large Pine

Row of Pines



Short Retaining Wall

Short Retaining Wall

Short Retaining Wall

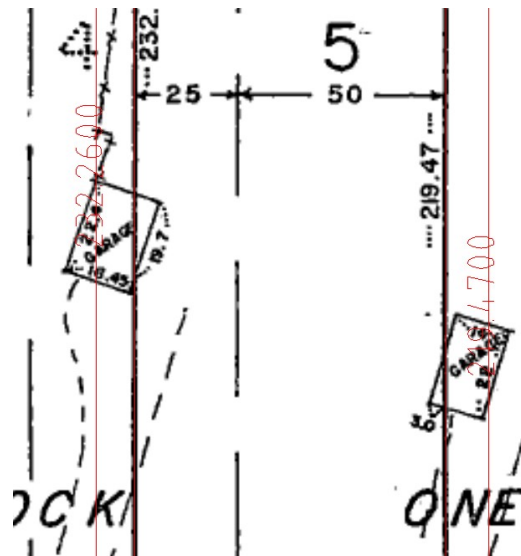
Cedar Trees

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

	A	B	C	D	E	F
		Length	Width	Total	%	
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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

AFFIDAVIT OF SERVICE BY MAIL

STATE OF MINNESOTA)
) SS
COUNTY OF BELTRAMI)

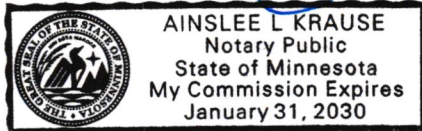
Jamin Carlson, being first duly sworn, on oath deposes and states that on the 5th of May, 2025, he/she served the attached Hearing Notice upon each of the following parties on the attached list by depositing in the U.S. Mail, envelopes properly sealed with postage prepaid thereon.



Subscribed and sworn to before me
this 5th day of May, 2025.



Notary Public



Planning Case: **Variance Request for 80.01671.00 – V-2025-0002**



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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Buffer Map

1:4,514

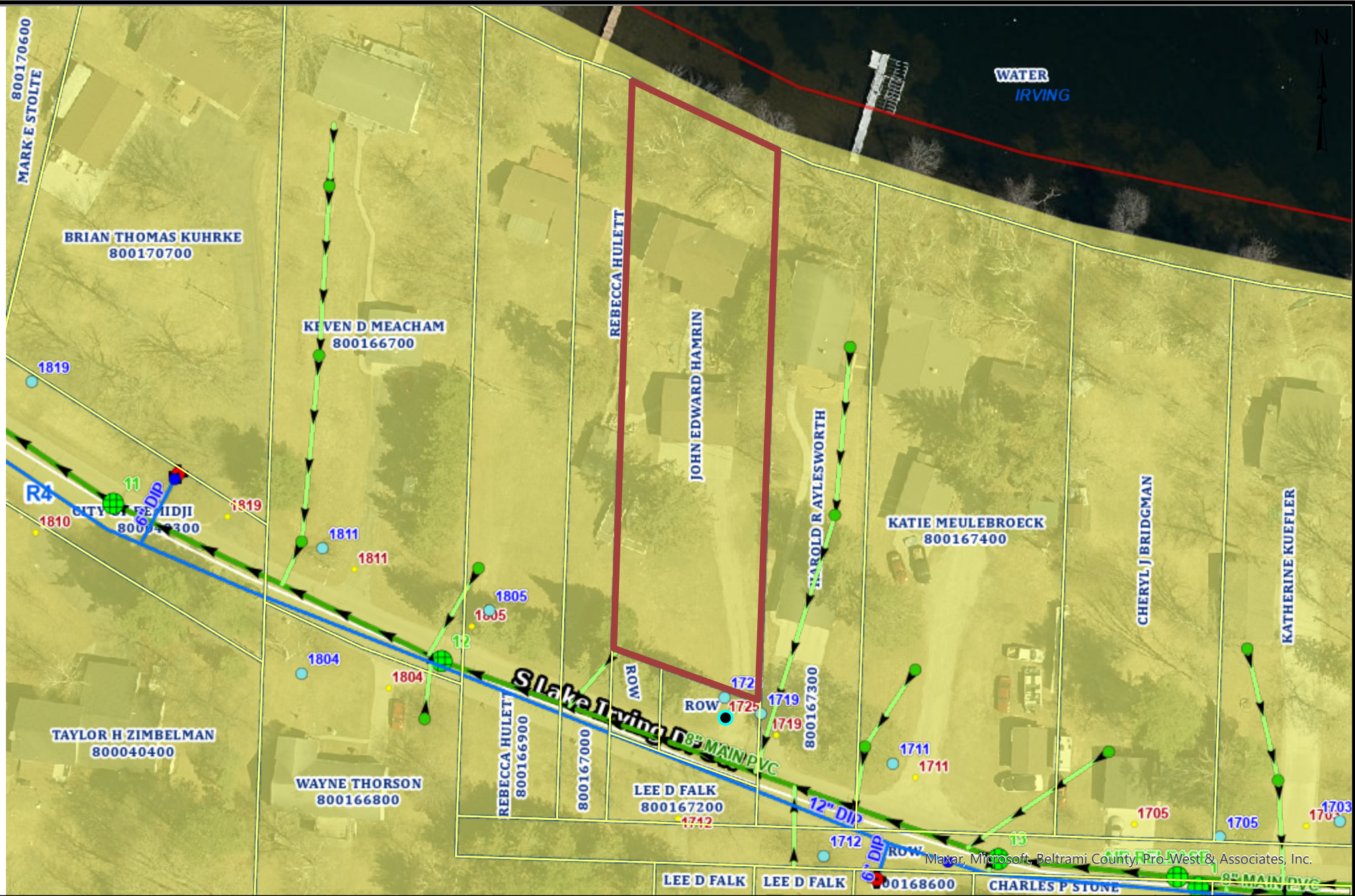
Date: 5/1/2025

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

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

800636800

Page 56 of 69



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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>	


 Bemidji
 First City On The Mississippi

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AFFIDAVIT OF PUBLICATION

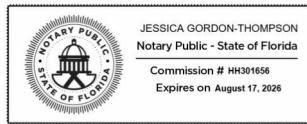
State of Florida, County of Orange, ss:

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)



The new Sanford Peak Center located in the old Delta Dental building.

**City of Bemidji
Planning Board
Submitted by Jamin
Carlson, Planning
Director**



City of Bemidji

**317 4th St NW
Bemidji, MN 56601
(218) 759-3582**

Planning & Zoning News

- The City of Bemidji's Planning & Zoning Department is getting many inquiries for projects, expansions, and redevelopment over the last month and continue with the building season in full swing.
- The City of Bemidji still has a vacancy on its planning commission. If interested, please submit an application from the city's website at [City Boards, Commissions and Committees - City Staff - Bemidji, MN](#).
- The planning department would like to remind residents that construction of fences require permits from planning and zoning. Applications can be found at [City of Bemidji, MN Public Portal](#).
- Also, any farm animals (chickens, ducks, goats etc.) and domestic animals need a permit/license and must be applied for and approved by the city. Tree removal permits are required in all districts; shoreland alteration (excavation of any kind, beach work, hard scaping, and vegetation alteration in the shoreland zone [first 1,000 feet from any public water) also may require review and approval along with a permit [City of Bemidji, MN Public Portal](#).
- Updates to a few projects: Border States has started construction of their project at a new location next to Beltrami Cooperative Development in the tech park; Battery Wholesale has a site plan under review and will be looking to construct a new building; Motorworks will be expanding their parking lot at the Washington Ave location; the housing study is nearing completion from HRDC.

Permit/License Activity Items	Totals (Issued since 1/1/2025)
Planning Cases (Variances, CUPs, IUPs, Rezones, PUDs, & Plats)	9
Sign Permits	31
Lot Combinations/Realignments/Divisions Permits	7
Environmental Alteration Permits (Tree/Shoreland)	6
Temporary Storage Containers/Semi-Trailer Permits	11
Animals/Home Occupation/Fence/Land Use Permits	17
Site Plans Reviews/ Zoning Verification Letters	51
PERMIT/LICENSE ACTIVITY * As of June 6th, 2025	132

Planning Cases for June/July

City of Bemidji – V-2025-0003: - Marco McLane Development, representing Security Bank USA, is requesting a variance for off-street parking, loading and surfacing standards of a redevelopment of a parking area setback to the side property lines. The subject properties are the east abutting parcels (parking area for Security Bank) on Paul Bunyan Dr NW (PIN: 800009300, & 800009401) in the City of Bemidji. The properties are in the B-2 General Commercial District and the HWY 197 & Airport 3 Overlays.



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	
1:2,257	Date: 6/5/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



City of Bemidji – SUP-2025-0005: - Derek Hanson representing Hanson Contracting, LLC is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 3426 Irvine Ave NW (PIN 800556900) in the City of Bemidji and is in the B-1 Low Density Commercial District and Airport Zone 3 Overlay District.



IMPORTANT NOTICE

- The Planning Board scheduled meeting for Monday, June 9th, 2025, at 5:30 p.m. will be held at City Hall Council Chambers.
- The Planning Commission meeting on Thursday, June 26th, 2025, at 5:30 pm will be held at City Hall Council Chambers.

JUNE 2025						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4	5	6	7
8	Board	10	11	12	13	14
15 Father's Day	16	17	18	19 Juneteenth Office Closed	20	21
22	23	24	25 LMC Duluth	26 Commission LMC Duluth	27 LMC Duluth	28
29	30	1	2	3	4	5

JULY 2025						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
29	30	1	2	3	4 Independence Day Office Closed	5
6	7	8	9	10	11	12
13	Board	15	16	17	18	19
20	21	22	23	24 Commission	25	26
27	28	29	30	31	1	2



Planning & Zoning Department Site Analyst & Enforcement Activities for May 2025

Development Projects City Commercial

- **7 Brew Bemidji (Paul Bunyan Dr NW)** – Planning dept. is waiting on the installation of the pylon sign, landscape survivability along with Utility As-Builts and final wrap up.
- **AT&T Tower (Bardwell Dr NW)** Site plan review completed. Tree removal and site preparation have begun.
- **Battery Warehouse Inc. (Gillette Dr)** Site plan review submitted.
- **Beltrami County Adult Corrections Center (Pioneer St SE)** The development agreement has been completed and signed. Under construction.
- **Beltrami County Solid Waste (Fern St NW)** Site plan review complete, land use permit has been approved and is ready for construction.
- **Bemidji Storage (Carr Lake Rd)** Reopened; DA is signed, waiting on developer to start.
- **Border States (Cooperative Ct)** Site plan review completed; construction is underway.
- **Dairy Queen (Paul Bunyan Dr NW)** Project has been approved, waiting for developer to finalize plans/timelines. Site needs to be tended to.
- **Gracewin Cooperative** – Developer has requested a 12-month extension to meet the substantial start requirements and has stated that the required deposits are close. Developer
- **Green Legacy Investments (Anne St)** Waiting for completion of lot division. Review completed, paving of all phases complete.
- **Hanson Contracting Shop (Irvine Ave NW)** Construction and paving complete. Stormwater retention is in/seeded. Trees have been planted; paving has been completed. Final greenspace seeding remains along with utility As-Builts.
- **Circle K Station (Highway 2 & Moberg)** Open for business. Will conduct final review in coming weeks, but landscape survivability will be Fall 2025.
- **Les Schwab Tire Centers (Paul Bunyan Dr)** Site plan under review.
- **MotorWorks Auto Repair (Washington Ave)** Parking lot renovation, site plan review submitted.
- **North Central Door (Carr Lake Rd)** Construction and paving completed. Three trees need to be replaced, doors need to be replaced on trash enclosure, lighting needs to be replaced, and semi-trailers need to be moved off pervious/grass surface.
- **Northwoods Shelter (30th St)** Interior construction is ongoing.
- **People's Church (America Ave NW)** – Construction has begun.
- **Pizza Ranch (Paul Bunyan Dr)** Landscape survivability Summer/Fall 2025.
- **Sanford / Pine Pals Daycare (Greenleaf Ave)** – Landscape survivability Summer 2025.
- **Skips (Paul Bunyan Dr)** Needs grass re-seeded and trees planted. Has been in talks with City Manager regarding his approved landscape plan.
- **Starbucks South (Shevlin Ave)** Is open for business. Planning staff will complete the landscape survivability review this summer. Needs As-Builts completed.
- **T-Hangar (Moberg Dr NW)** Site plan review completed 4/8/2024. Dirt work was completed prior to the end of the construction season.
- **The Boardwalk (South Shore)** Project is complete except for a trash and wood ash disposal enclosure, to be installed soon.
- **UPS MDC Expansion (Industrial Park Dr SE)** Construction completed, waiting on landscape survivability Fall 2025.

Site Analyst & Enforcement Activities for May 2025



People's Church, June 5, 2025.



Development Projects City Residential

- **Amundson (Sherman Dr)** Site plan review approved 5/30/2025.
- **BI-CAP (Gould Ave NE)** Site plan review done 10/19/2022. Building permit issued. Building in progress.
- **BI_CAP (Scott Ave)** Site plan approved 5/28/2025
- **Bader-Dickson (Birchmont Dr)** Site plan review submitted.
- **Carlson (Fern St NW)** Site plan review underway. SSTS compliance inspection results received, and plan approved.
- **Fletcher (Birchmont Dr NE)** Site plan review completed for new house construction 10/9/2024. Construction underway.
- **Habitat for Humanity - Heveron (3rd St SE)** Grass has been established, still needs two trees to meet ordinance requirement.
- **Habitat for Humanity (26th St)** Site plan approved 5/30/2025.
- **Habitat for Humanity (19th St)** Site plan approved 5/29/2025.
- **Hensley (Irvine Ave NW)** Mr. Hensley has inquired about bringing semi-trailers onto the property for the purpose of moving the remaining auto parts to a different location. The last site visit indicated that the trailer had been removed.
- **Hill Crest Manor (Irving Ave NW) Garage/Shop** – Site Plan Review complete 6/4/2024. Slab is in place, construction not started.
- **Jasko (S Lake Irving Dr SW)** Site Plan Review complete. Construction of foundation slab complete. No above ground construction has been completed.
- **Kimble (Scott Ave SE)** Site plan review done 6/21/2022. Building Permit issued. Construction is ongoing.
- **Kopang (Moonlight Ln)** Site plan approved 6/4/2025.
- **Moen (Shortcut Ln SW)** Site plan review approved 5/8/2024. Construction underway.
- **Puddle Duck Properties (Beartooth Ave SW)** Site plan reviews complete 9/19/2023.
- **Puddle Duck Properties (Shedhorn St SW)** Site plan review complete, issued 9/28/2023.
- **Puddle Duck Properties (Moonlight Ln SW)** Site plan review complete, payment pending.
- **Puddle Duck Properties, Block 2, Lot 2 (Shedhorn St SW)** Site plan review complete, payment pending.
- **Ricke (Elliot Rd NE)** Site plan review completed 10/16/2024.
- **Thorson (Thorson Blvd NE)** Exterior construction appears complete, landscape installation appears complete 11/21/2024. Environmental alteration permit has been obtained for riprap work not included in original plan.
- **Wiebolt (Elliot Rd NE)** Site plan review completed 10/9/2024.
- **Yarbrough (Shortcut Ln SW)** Site plan review approved 8/7/2024. Construction underway.
- **Yezhikov (Gould Ave NE)** Site plan review done 5/19/2023. Waiting for landscape survivability Summer 2025.

Significant Enforcement Issues

- Several enforcement cases were closed out in the last month, however additional cases were added, and we closed out May with an overall increase in active cases.
- Several storage container violations were closed out as property owners obtained permits, moved containers to meet ordinance requirements, or removed them from their properties entirely.



Property in the Industrial Park that has moved storage trailers to obtain compliance with the development code.

- Human Activity Sites: BNSF sites have been cleaned up and they have posted signs at several points where there had been frequent traffic. The hedge out front and the basement access of the old Federal Building have become a focus point for human activity. Staff has had difficulty in establishing contact with the owner.



Human activity site at 522 Minnesota Ave NW.

Site Analyst & Enforcement Activities for May 2025



BNSF installed signs at numerous locations along the tracks.

- There were a couple of shoreland alteration projects that required staff to investigate what was being done and educate property owners on the permitting requirements. All property owners in these cases took the necessary steps to obtain compliance.



Shoreland alteration project that required some investigation and follow-up.

- The review of Planning Actions from previous years continues. No major issues have been noted in the cases from 2021 that have been reviewed thus far. The twelve-month review for one 2024 case has indicated multiple conditions that have not yet been met. This case may be brought to the Board for review in coming months.



Site Analyst & Enforcement Activities for May 2025

Summary of Enforcement Actions

Enforcement - Total Open Cases - May 2025			
By Ward	Residential Districts	Non-Residential	Totals
Ward 1	9	3	12
Ward 2	4	17	21
Ward 3	6	3	9
Ward 4	14	24	38
Ward 5	13	5	18
Total	46	52	98

As of 6/4/2025

Totals for May 2025 Enforcement	
Closed 2025 YTD	City
January Residential	4
January Non-Residential	6
February Residential	4
February Non-Residential	3
March Residential	4
March Non-Residential	13
April Residential	5
April Non-Residential	4
May Residential	9
May Non-Residential	11
June /July Residential	0
June/July Non-Residential	0
August Residential	0
August Non-Residential	0
September Residential	0
September Non-Residential	0
October Residential	0
October Non-Residential	0
November Residential	0
November Non-Residential	0
December Residential	0
December Non-Residential	0
Total Closed Cases 2025	63

As of 6/4/2025



Site Analyst & Enforcement Activities for May 2025

Enforcement Totals by Code - May 2025		
Enforcement Items by Code	Open	Closed
Residential R-1 through R-6		
28-81 - Allowed, Permitted, Conditional, and Interim Uses	2	0
28-355 - Non-Conforming Structures in Shoreland	0	0
28-359 - Vegetative Alterations	0	0
28-360 - Topographic Alterations - Shoreland	0	1
28-402 - Exterior Storage & Outdoor Display of Merchandise	30	7
28-403 - Sight Visibility Triangle	0	0
28-404 - Fences	2	1
28-406 - Landscaping Requirements	1	0
28-408 - Lighting	1	0
28-409 - Off-Street Parking, Loading & Surfacing Standards	5	0
28-411 - Temporary Uses or Structures	1	0
28-523 - Land Use, Building & Admin Permits	1	0
28-524 - CUP Violation	2	0
28-421 - Farm Animals	1	0
Total Residential Cases	46	9
Commercial, Industrial, U, UR, OM, LC, LD, & MH		
28-81 - Allowed, Permitted, Conditional, and Interim Uses	1	0
28-244 - Prohibited Signs	3	1
28-245 - Nonconforming Signs	1	0
28-246 - Sign Permit Required	0	1
28-251 - Signs Permitted in LC & LD Districts	1	0
28-253 - Signs Permitted in the (UR) Urban Renaissance	0	0
28-252 - Sign Allowed in B-1 & B-2 Commercial Districts	0	0
28-258 - Dynamic Displays	3	0
28-402 - Exterior Storage & Outdoor Display of Merchandise	14	3
28-403 - Sight Visibility Triangle	0	0
28-405 - Screening	1	0
28-406 - Landscaping Requirements	3	0
28-407 - Tree Preservation	2	0
28-408 - Lighting	0	1
28-409 - Off-Street Parking, Loading & Surfacing Standards	8	1
28-411 - Temporary Uses or Structures	13	4
28-413 - Manufactured Home Park Standards	1	0
28-524 - Conditional Use or Interim Permits	1	0
28-528 - General Nuisance	0	0
Total Non- Residential Cases	52	11
Total Cases	98	20

As of 6/4/2025