

**Beltrami County Planning Commission/Board of Adjustment Meeting
Minutes for Monday, February 24, 2025
County Administration Building – County Board Room
701 Minnesota Ave NW
Bemidji, Minnesota 56601**

General Business

Members present: Ed Fussy
 Don Hazeman
 Bruce Poppel
 Bill Best
 Doug Underthun
 Craig Gaasvig

Members absent: Todd Stanley

Others Present: Brent Rud, Director, Beltrami County Environmental Services Department
 Greg Larson, Beltrami County Environmental Services Department
 Shannon Schmidt, Beltrami County Environmental Services Department
 Monte Sharbono, 18882 N Blackduck Lake Rd NE, Hines, MN 56647
 Mark Larson, 3522 Quincy Dr SW, Bemidji, MN 56601
 Zelda Larson, 3700 Cottage Ln SW, Bemidji, MN 56601
 Marlyn Larson, 3700 Cottage Ln SW, Bemidji, MN 56601
 Matt Murray, 304 3rd St NW, Bemidji, MN 56601
 Pat Kovar, 16676 N Blackduck Lake Rd NE, Hines, MN 56647
 Peter Fredrickson, 148 Carr Lake Rd SE, Bemidji, MN 56601
 Kim Fredrickson, 3702 Cottage Ln SW, Bemidji, MN 56601
 Josh Kelsey, 3100 Island View Dr NE, Bemidji, MN 56601
 Ken McBride, 13700 Turtle Lake Turnpike NW, Bemidji, MN 56601
 Megan Fratzke, 7300 Vireo Ct NE, Bemidji, MN 56601

Chairman called the Planning Commission/Board of Adjustment Meeting to order at 6:00 PM. **Board and staff introduced themselves to members of the audience. Brent reviewed the meeting procedures and process, as well as the agenda, for those in attendance.** The meeting minutes for January 27, 2025, were brought forward for approval. **Bruce Poppel moved to approve the meeting minutes of January 27, 2025. Motion seconded by Don Hazeman.**

Motion carried and approved.

Board of Adjustment

New Business

Variance Request of:

Nicholas and Megan Fratzke
7300 Vireo Ct NE
Bemidji, MN 56601

Township:

Turtle River

Body of Water:

Big Bass Lake (4-132) RD

The Purpose of:

Applicants are requesting a variance from the Beltrami County Shoreland Ordinance to construct a 16' x 24' second level above the existing attached garage and a 10' x 20' enclosed entry way onto existing home that is within the structure setback of Big Bass Lake (RD 4-132). Big Bass Lake is classified as a recreational development lake which requires a 100' structure setback. The proposed additions will be constructed onto the non-lake side of the house. The existing house is 48' from the OHWL.

Legal Description:

Tax Parcel 48.00565.00

Lots Eleven (11), Twelve (12), Thirteen (13), Block One (1) Bass Lake Vineyards and the North One Hundred Fifty (150) feet of the South Seven Hundred Fifty (750) feet of Outlot E Bass Lake Vineyards, Beltrami County, Minnesota.

Greg Larson gave the staff report. GIS maps showing the location of the 1.95-acre parcel were viewed. Photos of all sides of the existing house and the view of the house from the lake, as well as a photo with the proposed outline of the enclosed entryway drawn in, were also viewed. Both proposed additions will be on the back side of the house, away from the lake. The existing house was built in 1960 and purchased by the Fratzke family in 2022. The proposed additions will increase living space for the family. A new septic system was installed in June of 2024. Staff recommends approval of the variance as proposed.

Megan Fratzke, applicant, approached the podium. Megan agreed with Greg's presentation and explained that she had been incorrectly measuring from the edge of the steps, not from the wall of the house, when marking the enclosed entryway. Please disregard Megan's spray paint and sticks marking the outline in the photo – those borders are incorrect. Greg has drawn in corrected outlines on the photo in red.

The Chairman opened the floor for public comment. Emailed comments received from the public were read aloud by Greg Larson.

- **Beltrami County Highway Department** – emailed that they have no comments nor concerns with this request.
- **Edward J and Cheryl E Rogers** – Edward emailed that he and his wife own the property at 7115 Deer Valley Ct NE, which is adjacent to the Fratzke property. Edward and Nicholas discussed Nick’s plans to increase their living space to provide for their several children. The Rogers would be the only property owners who would even see the additions from the side, and not very well, due to the trees between the properties. These additions will not inhibit anyone’s view of the lake and cannot be seen from a boat on the lake. The Fratzkes appear to be good stewards of Big Bass Lake and should be able to raise their family comfortably. The Rogers are in full support of this variance request.
- **Holly and Forest Milledge** – emailed that they were late getting their comments in, as they were travelling. The Milledges own the property to the south side of the Fratzkes. They are not opposed to the additions. However, they do request that construction noise be limited to business hours during the summer months.
 - 8am to 7pm Monday – Friday
 - 8am to 5pm Saturday
 - NO Sundays or Holidays

Finding no further public comment, the Chairman closed the floor for public comment on the Nicholas and Megan Fratzke variance request.

Findings of Fact

1. Is the variance in harmony with the intent of the comprehensive plan, zoning ordinance and State Shoreline Management Ordinance rules?

Yes (x) No ()

Why? The house was built in 1960, prior to any Shoreland Management Ordinance. Both requested additions will be on the back side of the house, away from the lake.
2. Without the variance is the owner deprived of a reasonable use of the property?

Yes (x) No ()

Why? The home is small and in need of more family room and a home office.
3. Is the alleged hardship due to circumstances unique to this property?

Yes (x) No ()

Why? The original house pre-dated the Shoreland Management Ordinance. Owners are trying to keep changes to the side of the house that cannot be seen from the lake.
4. Were the circumstances causing the hardship created by someone or something other than the landowner or previous landowners?

Yes (x) No ()

Why? The home was built prior to the Shoreland Management Ordinance.

5. Will the issuance of the variance maintain the essential character of the locality?

Yes(x) No ()

Why? The additions are on the back side of the house where they cannot be seen.
The essential character of the locality will not be changed.

6. Does the alleged hardship involve more than economic consideration?

Yes (x) No ()

Why? Economics were not a consideration in this variance request.

If all answers are "yes" the criteria for granting the variance request have been met.

Motion by Doug Underthun to approve the variance request of Megan and Nicholas Fratzke as proposed. Bruce Poppel seconded the motion.

Motion unanimously carried and approved.

Chairman then closed the Board of Adjustment Public Hearing on the proposed Variance request of Megan and Nicholas Fratzke.

Variance Request of:

**Marlyn and Zelda Larson
Revocable Trust
3700 Cottage Ln SW
Bemidji, MN 56601**

Township:

Bemidji

Body of Water:

Marquette Lake (4-142) RD

The Purpose of:

Applicants are requesting a variance from Section 904: Subpart F of the Beltrami County Shoreland Management Ordinance to exceed the allowable 25% impervious surface coverage of the lot. Applicants are proposing a 26' x 26' garage that would increase the impervious surface coverage to 29.4% of the lot.

Legal Description:

Tax Parcel 03.00843.00

Lot Seventeen (17), less the East 7 feet, 7 inches thereof, Block One (1), Norrona Beach, Beltrami County, Minnesota.

Greg Larson gave the staff report. Maps showing the location of the 0.36-acre parcel and existing structures were viewed on GIS mapping. Photos of all sides of the existing house built in 1949, the existing flat roof attached garage, a sketch of all structures on the parcel, and the view from the lake were also viewed. The Larsons purchased this property in 2010. The parcel is very narrow by the lake but gets wider as it nears the back edge of the property. Greg

calculated the current impervious surface coverage at closer to 25.6%. The proposed new garage will replace an existing shed and be partially built on the existing driveway, limiting the amount of additional impervious surface to be added. New garage will meet all required setbacks. Staff recommends approval with the following conditions:

- Existing lawn shed must be completely removed.
- A passing compliance inspection must be completed on the existing septic system prior to the issuance of any building permits.

Marlyn Larson, applicant, approached the podium to address the Board. The Board expressed their concerns about stormwater runoff on such a small parcel. Marlyn confirmed, as can be seen from photos, that water from the front of the house runs down a steep hill to a small strip of property between the lake and the Larson parcel that is not even owned by the Larsons. All other water runs to the back of the property towards the road and a swampy area. The house actually sits on a small hill. Gutters may need to be added to the new garage to keep water away from the existing drainfield area. Marlyn indicated that he and his wife currently live in Iowa and use this as their summer cottage. In the future, the Larsons plan to remodel the existing attached flat roof garage into additional living space to include a bathroom, a laundry, and maybe a small office area. This would leave them with no garage.

The Chairman opened the floor for public comment. Emailed comments received from the public were read aloud by Greg Larson.

- **Beltrami County GIS** – had nothing to comment on for this variance.

Finding no further public comment, the Chairman closed the floor for public comment on the Marlyn and Zelda Larson variance request.

Findings of Fact

1. Is the variance in harmony with the intent of the comprehensive plan, zoning ordinance and State Shoreline Management Ordinance rules?
Yes (x) No ()
Why? This is a small lot that was established prior to any Shoreland Management Ordinance.
2. Without the variance is the owner deprived of a reasonable use of the property?
Yes (x) No ()
Why? Family needs more livable space.
3. Is the alleged hardship due to circumstances unique to this property?
Yes (x) No ()
Why? The topography of the lot, the shape of the lot, and the size of the lot only supports building in limited areas.
4. Were the circumstances causing the hardship created by someone or something other than the landowner or previous landowners?

Yes (x) No ()

Why? This is a very small lot, and the home was built prior to the Shoreland Management Ordinance.

5. Will the issuance of the variance maintain the essential character of the locality?

Yes(x) No ()

Why? The proposed building meets all structure setbacks and will be an improvement to the lot.

6. Does the alleged hardship involve more than economic consideration?

Yes (x) No ()

Why? Economics were not a consideration in this variance request.

If all answers are "yes" the criteria for granting the variance request have been met.

Motion by Doug Underthun to approve the variance request of Marlyn and Zelda Larson with the following conditions: 1.) Existing lawn shed must be completely removed, and 2.) A passing compliance inspection must be completed on the existing septic system prior to the issuance of any building permits. Bill Best seconded the motion.

Motion unanimously carried and approved.

Chairman then closed the Board of Adjustment Public Hearing on the proposed Variance request of Marlyn and Zelda Larson.

Variance Request of:

Joshua Kelsey

13468 Turtle Lake Turnpike NW

Bemidji, MN 56601

Township:

Turtle Lake

Body of Water:

Big Turtle Lake (4-159) RD

The Purpose of:

Applicant is requesting a variance from Section 503.1 of the Beltrami County Shoreland Management Ordinance to build a new structure within the 100' lake setback and a variance from the Beltrami County SSTS Ordinance to place a new septic system within the 100' lake setback and the 10' property line setback. The applicant is proposing to remove an existing 672 sq ft garage and 1,348 sq ft house, located 47' from the OHWL and replace them with a new 3,175 sq ft home with attached garage at the same setback of 47' from the OHWL on Big Turtle Lake (RD 4-159). Applicant is also proposing to place the new septic system drain field 7' from the property line and approximately 75' from the OHWL.

Legal Description:

Tax Parcel 47.00582.00

That part of Government Lot One (1), Section Thirty-three (33), Township One Hundred Forty-eight (148), Range Thirty-three (33), described as follows: Commencing at Meander Corner No. 57 at the Northeast corner of Government Lot One (1); thence Westerly along the North line of Lot 1 a distance of 200'; thence Southerly at right angles a distance of 100' to a point which is the point of beginning of the tract herein described; thence continuing Southerly on the same course a distance of 100'; thence running Easterly parallel to and 200' distant from the North line of Lot 1 to the shore of Big Turtle Lake; thence running Northerly along the shore of Big Turtle Lake to a point on said shoreline where a line drawn parallel to and 100' Southerly from the North line of Lot 1, when measured at right angles thereto, intersects said shoreline; thence running Westerly on a line parallel to and 100' distant from the North line of Lot 1 a distance of 200', more or less, to the point of beginning.

Greg Larson gave the staff report. Maps showing the location of the 0.53-acre parcel and existing structures were viewed on GIS mapping. The small sheds in the northwest corner of the lot on GIS maps have already been removed. This is a lot of record as of 1903. Photos of the existing house built in 1910, the existing garage built in 1979, a survey map, a sketch of all existing and proposed structures on the parcel, and the floor plan of the new build were also viewed. The Kelseys purchased this property in 2024. It was challenging to find a location for the new septic as part of this parcel is on the other side of Turtle Lake Turnpike NW. The other side of the road is where the old "gopher mound" septic system was originally installed in the 1970's prior to wetland rules. A design for a new mound system with a peat filter pre-treatment area has been completed and the new system is ready for installation (this type of system reduces the mound size and allows the system to be pushed back further from the lake). This new system will require a monitoring plan. Staff recommends approval as requested with the following conditions:

- Clean and complete removal of the existing house and garage must take place.
- Applicant must submit a Stormwater Management Plan to the Environmental Services Department for review and approval prior to any building permits being issued.

Joshua Kelsey, applicant, approached the podium to address the Board. When the Kelseys purchased the property in 2024, they were not aware of the septic hurdles they would encounter!

The Chairman opened the floor for public comment. Emailed comments received from the public were read aloud by Greg Larson.

- **Beltrami County Highway Department** – no comments, nor concerns, with this request.

Finding no further public comment, the Chairman closed the floor for public comment on the Joshua Kelsey variance request.

Findings of Fact

1. Is the variance in harmony with the intent of the comprehensive plan, zoning ordinance and State Shoreline Management Ordinance rules?
Yes (x) No ()
Why? This is a small lot that was established prior to any Shoreland Management Ordinance. The homeowner has attempted to design structures and septic with the least amount of impact to the lake.
2. Without the variance is the owner deprived of a reasonable use of the property?
Yes (x) No ()
Why? Family needs more living space and a working septic.
3. Is the alleged hardship due to circumstances unique to this property?
Yes (x) No ()
Why? The septic is old, the lot is small, structures are pre-ordinance, part of lot is wetlands.
4. Were the circumstances causing the hardship created by someone or something other than the landowner or previous landowners?
Yes (x) No ()
Why? This is a very small lot, and the home was built prior to the Shoreland Management Ordinance.
5. Will the issuance of the variance maintain the essential character of the locality?
Yes(x) No ()
Why? The proposed building and septic will be an improvement to the lot and will look similar to neighboring properties.
6. Does the alleged hardship involve more than economic consideration?
Yes (x) No ()
Why? Economics were not a consideration in this variance request. A new septic is needed.

If all answers are "yes" the criteria for granting the variance request have been met.

Motion by Bruce Poppel to approve the variance request of Joshua Kelsey with the following conditions: 1.) Clean and complete removal of the existing house and garage must take place, and 2.) Applicant must submit a Stormwater Management Plan to the Environmental Services Department for review and approval prior to any building permits being issued. Don Hazeman seconded the motion.

Motion unanimously carried and approved.

Chairman then closed the Board of Adjustment Public Hearing on the proposed Variance request of Joshua Kelsey.

Chairman then recessed the Board of Adjustment Public Hearing portion of the meeting.

Planning Commission

New Business

Chairman opened the Planning Commission Public Hearing on the proposed Conditional Use request of White Birch Resort LLC and Monte Sharbono.

Conditional Use Request of:

**Monte Sharbono -
White Birch Resort LLC**
18882 N Blackduck Lake Rd NE
Hines, MN 56647

Township:

Hines

Body of Water:

Blackduck Lake (4-069) RD

The Purpose of:

Applicant is requesting a Conditional Use Permit to convert a current operating resort, White Birch Resort LLC, on Blackduck Lake into a residential planned unit development (PUD) in Hines Township. The Beltrami County Shoreland Management Ordinance requires a Conditional Use Permit for residential PUDs. The proposed residential PUD will consist of 8 housing units.

Legal Description:

Tax Parcel: 18.00063.00 and 18.00707.00

A tract of land in Government Lot Five (5), Section Three (3), and Government Lot Seven (7), Section Four (4), Township One Hundred Forty-nine (149), Range Thirty-one (31), described as follows: Commencing at the Northeast corner of said Lot 7 and thence running South along the East line of said Lot 7, a distance of 522' to a point which shall hereinafter be designated as point 'A'; thence to the right at a deflection angle of 127°04', and running Northwesterly to the point of intersection with the Southeasterly shoreline (low water mark) of Blackduck River, which point is the point of beginning of the tract to be described; thence running along a straight line to point 'A'; thence continuing on the same course a distance of 179' to a point; thence to the right at deflection angle of 98°29' and running Southwesterly a distance of 257' to a point; thence to the right at a deflection angle of 30°12' and running Southwesterly to the shoreline (low water mark) of Blackduck Lake; thence running Northwesterly along the shoreline (low water mark) of Blackduck Lake to the point of intersection of said shoreline with the Southeasterly shoreline (low water mark) of Blackduck River; thence running Northeasterly along the Southeasterly shoreline (low water mark) of Blackduck River to the point of beginning; and that vacated part of the existing right-of-way of C.S.A.H. No. 30 located within Government Lot Five (5), Section

Three (3), and Government Lot Seven (7), Section Four (4), Township One Hundred Forty-nine (149) North, Range Thirty-one (31) West, that is located between Engineers Stations 112+90 and 120+65, and lies Southwesterly of a line 66' Southwesterly of, and parallel to, the centerline of C.S.A.H. No. 30;

AND

Lot Five (5), Block One (1), Albie Estates;

Subject to easements, restrictions, and reservations of record. Together with all hereditaments and appurtenances belonging thereto.

Brent Rud gave the staff report, discussing property details, location, and the density evaluation relating to existing buildings as well as total number of proposed housing units after conversion is complete. GIS maps showing the location of the resort on Blackduck Lake were viewed. Survey maps, the Site Plan, and photos of several current structures were also viewed. The resort occupies one parcel (18.00063.00) on the north shore of Blackduck Lake. The resort owns an adjacent parcel (18.00707.00), which is proposed to be part of the overall project, if approved. White Birch Resort LLC is proposing to continue operations of the resort until all cabins are sold. Continued operations during the conversion process is necessary to maintain fiscal feasibility of the project as there are no guarantees regarding market conditions. White Birch Resort LLC currently consists of 10 cabins and 1 lodge (office/residence). From the lake back 300' is Tier 1. The resort currently has 7 units in this area and is allowed to have 7 units in this area. The next 300' further back away from the lake is Tier 2. The resort currently has 4 units in this area and is allowed to have 1 unit in this area. Three units in Tier 2 will be removed by project completion. Matt Murray has overestimated the impervious surface area with the new structures at 23.1%.

- ✦ Cabin 8 and the Lodge currently do not meet setbacks to the OHWL of Blackduck Lake and Blackduck River. Both structures will be removed and constructed in accordance with all structure setback requirements.
- ✦ An existing garage inside of the OHWL setback to Blackduck Lake will be removed and replaced with an 8'X8' well house to be in accordance with structure setbacks.
- ✦ The existing pool will be removed and may, or may not, be replaced with a new pool. The Site Plan and impervious surface calculations account for the construction of a new enclosed pool structure.
- ✦ The existing garage to the north of the existing pool will be removed.
- ✦ Existing Cabin 11 and Cabin 12 will be reorganized as a single residential unit identified as R8 on the Site Plan.
- ✦ Existing Cabin 9 and Cabin 10 will not be converted to an independent residential structure. The structure, which includes a garage, will be converted to become part of the common elements as a maintenance building and gathering building for the Association, or added to proposed R8.
- ✦ Accommodations have been made in open space calculations and impervious surface calculations to enable R2, R3, and R4 to construct a garage in the future, if desired.
- ✦ It is expected that the Association may seek a permit to construct a separate storage building at some point in the future.

It is proposed that the resort be converted to residential units organized as Common Interest Community No. 53, a Planned Community, White Birch. Under this organization, R1-R8 will be organized as Units which will constitute separate parcels of real estate. The remaining land comprised of the access roads and greenspace will be organized as Common Elements, owned and maintained by an owner's association. The owner is seeking approval for the entire project. However, it is proposed that the creation of the project in the tax system will take place in two phases.

❖ PHASE 1:

- Timeline: Upon project approval
- Scope: R1, R2, R3, R4, and R8, including surrounding land, driveway, and beach area

❖ PHASE 2:

- Timeline: No later than 10 years after project approval
- Scope: All remaining land comprising parcel numbers 18.00063.00 and 18.00707.00

Despite being two phases, the approval of the Conditional Use Permit to create this project will submit the entire project to the terms and conditions of this permit. Under no circumstances (unless approved by Planning Commission as a revision to the CUP), could the project density increase, or could any portion of the property be sold and utilized in a manner that does not conform with the project approval.

Staff discussed the following Conditional Use Permit Considerations:

- ✓ The development of the site shall be in accordance with the permit and protected from changes in rules or regulations that would be inconsistent with parameters by which the project was designed including, but not limited to, the following:
 - Maximum impervious surface coverage limitations are based on 25% of the entire property. "Entire property" includes wetlands for Beltrami County – some townships do not include wetlands in their calculations.
 - Minimum open space of 50% is based on the entire property.
 - Setback regulations are based on the overall boundary of the CIC property. The interior setbacks within each Unit can vary in accordance with the Site Plan and subject only to association documents, including association architectural restrictions.
- ✓ All land must be brought into and made part of the Common Interest Community no later than 10 years after the issuance of the Conditional Use Permit.
- ✓ The overall Tier 1 project density shall not exceed seven units.
- ✓ The overall Tier 2 project density shall not exceed one unit.
- ✓ The resort may continue to operate as a resort, in accordance with all Minnesota regulations and requirements, until all cabins are sold.

Staff recommends approval of the Conditional Use Permit request with the following conditions:

- Under no circumstances (unless approved by Beltrami County) could the project density increase, or could any portion of the property be sold and utilized in a manner that does not conform with the project approval.
- All land must be brought into and made part of the Common Interest Community no later than 10 years after the issuance of the Conditional Use Permit.
- Tier 1 shall never exceed 7 units, and total units shall never exceed 8 units.
- The resort may continue to operate as a resort, in accordance with all Minnesota regulations and requirements, until 6 units are sold or transferred, 10 years from the date of CUP approval, or with a revised CUP allowing continuation of the resort.
- Creation of a homeowners' association.
- All property line setback requirements shall be met from the exterior property boundary and any other setbacks (such as lake setback and road right-of-way setback) are met for future buildings and homes.
- Maintenance of the common element open space area.
- Maximum impervious surface coverage of 25%.
- Minimum open space of 50%.
- Compliance inspections for all SSTs are required for any SSTs not having a current and valid certificate of compliance.
- Docks must be maintained in a centralized location and a maximum of 8 permanent boat slips is allowed.

Applicant, Monte Sharbono, and surveyor, Matt Murray, approached the podium to address the Board members. The Board was concerned that these units might become poorly managed short-term rental properties. Monte directed the Board to a section in the Association Declaration titled **“Building and Use Restrictions”** which includes Section 9. Rental of Dwellings. “An Owner may only rent their Unit through Whitebirch Resort and any successor property management company as hired by the Association. Said Company shall only rent for residential purposes and shall confirm that the number of guest(s) and intended use of the Unit fits the character and use of other Units to prohibit overuse, too much noise or disturbance to other Units not being rented.” Matt Murray reminded everyone that the Association Declaration will be recorded at the same time the Common Interest Community is recorded. Monte indicated that they might be able to implement Phase 2 as early as after the sale of 2 units. Monte also indicated that the resort owner may want to build their own home on the adjacent parcel. This second adjacent parcel was used in the calculations. Common Interest Communities are governed by State Statute. Monte asked that the rules that govern this project not be changed mid-stream. Brent confirmed that conditions will follow the land. If units are not all sold in 10 years, the project will need to be brought back before the Beltrami County Planning Commission to renegotiate another Conditional Use Permit.

The Planning Commission opened the floor for public comments.

Patrick Kovar, Supervisor for Hines Township, approached the podium to share comments from Hines Township. Pat read concerns as follows:

- Phases need to be more detailed. When does the project start? When does Phase 2 start?

- How will fire trucks and emergency vehicles get around? There isn't enough driveway space.
- Will new roads be laid out? How will snow removal be handled?
- The CUP request did not include any covenants, nor a provision for grievances or complaints.
- Will there be septic tanks for each unit, all draining into one drainfield? Does the lake water level allow this? How will a drainfield that fails be replaced?
- There was mention of Hines Township owning part of the right-of-way and that possibly a couple of the existing buildings are in the right-of-way.
- Pat indicated that the resort had also planted trees in a right-of-way that was not owned by the resort.
- Monte Sharbono tried to get a waiver from the Township to build a full-size house on the adjacent new parcel a couple months back and was denied. That parcel is not large enough to build a structure of any size.
- The adjacent parcel is NOT part of White Birch Resort. The adjacent parcel is zoned residential, not commercial, and is part of the Albie Estates plat.
- Hines Township invested \$80 - \$90 thousand to put in a dam at the Blackduck River outlet. Who is liable for the bridge over the dam? Who owns the dam? Pat thought maybe the township should just remove the bridge.
- Canoers want to know if the Blackduck River is navigable with portages.
- Who will be paying property taxes on the waterfront when none of the new parcels will actually touch the shoreline?

As there were no additional public comments, the public comment period was closed.

Monte Sharbono and Matt Murray approached the podium to respond to these comments. The current roads will remain the same as they are. Roads have already been changed to allow for access from N Point Ln NE and N Blackduck Lake Rd NE. Emergency vehicles would not have to turn around as they can drive straight through the property from one end to the other. Interior roads for fire and EMTs will be addressed during the platting process. The boat covers that are currently sitting in the road right-of-way will be removed. The buildings that Pat thought were in the road right-of-way are actually within the setback from the road right-of-way, not in the right-of-way itself. Matt Murray will be contacting Bruce Hasbargen at the Beltrami County Highway Department to see about purchasing the extra land in the right-of-way where the resort planted trees. This strip of land was never deeded to the township. The dam in Blackduck River went in 10 years ago. The river is not navigable. The bridge is a CCC bridge from the 1930's. The old highway that used to run right along the shore of Blackduck Lake has been vacated and that land has gone back to property owners by way of a 1989 resolution. The Association will also have an Architectural Committee that will need to approve the addition of any structures. There are two (2) aerobic septic systems and six (6) 2,000-gallon septic tanks already in use on the resort property. The Board asked if these systems require monitoring. Since the new parcels will still be serviced by a "community water supply", annual water testing will continue. Parking will stay the same. Overflow parking will be by the wood boiler. All buildings are four feet above the pond level, and the pond level is higher than lake water level. Three feet is required between livable area in structures and water level. Short-term rentals must have onsite management.

Brent Rud went over Section 1106 “Conditional Use Permits”, A, 2, a. - m. on page 66 of the Shoreland Management Ordinance # 6 with the Planning Commission. Brent highlighted a section in the Ordinance that states “commercial use is NOT allowed in a PUD”. Operating a short-term rental is considered to be a commercial use.

Motion by Bruce Poppel to approve the proposed Conditional Use request of White Birch Resort LLC and Monte Sharbono with all of the conditions presented and listed above. Motion seconded by Bill Best.

Roll Call Vote:

Doug Underthun	Aye
Don Hazeman	Aye
Ed Fussy	No
Bill Best	Aye
Bruce Poppel	Aye

Motion carried and approved but was not unanimous.

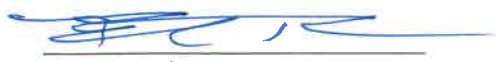
Chairman then closed the Planning Commission Public Hearing on the proposed Conditional Use request of White Birch Resort LLC and Monte Sharbono.


Old Business

Brent would like to schedule a work session to continue, and finalize, the revision of the Shoreland Management Ordinance. The work session is set for Monday, March 10, 2025, from 9:00am to 12:00pm. Possibly, the Planning Commission would then be able to take action on the revised Ordinance at the regularly scheduled meeting on Monday, March 24, 2025, at 6:00pm.

Motion by Doug Underthun to adjourn the Planning Commission/Board of Adjustment Public Hearing for February 24, 2025. Motion was seconded by Don Hazeman. Motion carried and approved. Chair called the meeting for February 24, 2025, officially adjourned. The next meeting will be held on Monday, March 24, 2025, at 6:00 PM, if any applications are received.

Respectfully submitted,


Brent Rud
Beltrami County ESD Director


Chairman
Beltrami County Planning Commission