

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2026-040**

RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR GRADING & FILLING OF MORE THAN 50 CUBIC YARDS WITHIN THE SHORELAND OVERLAY DISTRICT TO PERCH LAKE FOR PROPERTY LOCATED AT 12962 KNOLLWOOD DRIVE (CITY FILE NUMBER 2026-014)

WHEREAS, JP Contracting LLC (“the applicant”) has requested approval of a conditional use permit for property legally described as follows:

The south 100 feet of the north 300 feet of Government Lot 1 except the west 500 feet thereof, Section 13, Township 133, Range 29, Crow Wing County, Minnesota.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called Public Hearing on May 12, 2026, and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their May 19, 2026, meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the request for a conditional use permit, subject to the following findings and conditions:

1. The conditional use permit allows grading and filling of greater than 50 cubic yards of material associated with the installation of a boulder retaining wall along a side lot line within the shoreland overlay district of Perch Lake, in accordance with the application received by the city on April 24, 2026, except as may be amended by this resolution, based on the finding that all applicable conditional use permit standards have been met.

FURTHER BE IT RESOLVED, that the following conditions of approval shall be met:

1. The smallest amount of bare ground shall be exposed for as short a time as feasible.
2. Methods to prevent erosion and trap sediment during construction shall be employed as needed.
3. Temporary ground cover shall be employed during project construction as needed. Temporary ground coverage, such as straw blankets, shall be used after project completion until permanent ground cover is established.
4. Areas of turf lawn that are disturbed during the process shall be established with permanent grass ground coverage and established to 70% thickness/coverage as quickly as possible.

5. **Prior to beginning construction of the project**, the applicant shall:
 - a. Submit an easement for the portion of the wall that is on the neighbor's property. The easement shall be reviewed by the City Attorney and recorded with Crow Wing County against both properties located at 12962 Knollwood Drive and 12972 Knollwood Drive.
 - b. Notify the Minnesota Department of Natural Resources and the City prior to beginning construction of the project.
6. The applicant shall comply with any requirements from the Minnesota Department of Natural Resources.
7. The applicant shall comply with the building code and with any requirements of the Baxter Building Official.
8. There shall be no fill placed, or movement of any material, within the shore impact zone of Perch Lake which is half the required setback from the Ordinary High Water Level.
9. Approval shall expire within one year of the date of approval unless the applicant commences the authorized use.

Whereupon, said Resolution is hereby declared adopted on this 19th day of May 2026.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal