

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2026-030**

**RESOLUTION APPROVING A VARIANCE TO ALLOW A DECK WITH A GAZEBO ON IT TO
BE WITHIN THE BLUFF, RIVER AND LOT LINE SETBACKS FOR PROPERTY LOCATED
AT 10130 TIMBER RIDGE DRIVE (CITY FILE NUMBER 2026-011)**

WHEREAS, Paul and Melinda Ashner (“the applicant”) has requested approval of a variance for property legally described as follows:

Lot 1, Block 1, The River Retreat, Crow Wing County, Minnesota.

AND

That part of Government Lot 2 defined as follows: Commencing at the Southwest corner of Section 27 then South 89 degrees 51 minutes 33 seconds East assumed bearing 312.78 feet along the South line of said Section 27 to the centerline of the existing road to the point of beginning of the tract to be described then .95 feet along a nontangential curve concave to the South radius point 146.28 feet control of access 0 degrees 02 minutes 14 seconds and a chord bearing North 76 degrees 41 minutes 35 seconds East .95 feet along the centerline of said road then North 76 degrees 42 minutes 42 seconds East 267.83 feet continued along said centerline then 169.55 feet along a tangential curve concave to the South controlled access 34 degrees 26 minutes 21 seconds radius 282.08 feet continued along said centerline the South 68 degrees 50 minutes 57 seconds east 66.36 feet continued along said centerline then 149.08 feet along a tangential curve concave to the North controlled access 61 degrees 0 minutes 39 seconds radius point 140 feet continued along said centerline then North 50 degrees 08 minutes 24 seconds East 495.43 feet continued along said centerline to the East line of said Government Lot 2 then South 0 degrees 17 minutes 27 seconds West 369.50 feet along said East line of Government Lot 2 to the South line of said Section 27 then North 89 degrees 51 minutes 33 seconds West 1008.76 feet along the South line of said Section 27 to the point of beginning, Section 27, 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 April 14, 2026, and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their April 21, 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 variance, subject to the following findings and conditions:

1. The variance allows for the placement of deck with a gazebo on it within the bluff, river, and lot line setback, in accordance with the application and plans received by the City on

March 30, 2026, except as may be amended by this resolution, based on the finding that all applicable variance standards have been met as identified in the staff report dated April 14, 2026.

2. Comply with any requirements from the Minnesota Department of Natural Resources.
3. A building permit shall be required prior to beginning any construction.
4. No clearing of trees or other vegetation shall be permitted between the proposed deck and the river.
5. Approval shall expire within one year of the date of approval unless the applicant commences the authorized improvements.

Whereupon, said Resolution is hereby declared adopted on this 21st day of April 2026.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal