

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2024-073**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR FILLING AND GRADING
IN A SHORELAND DISTRICT FOR PROPERTY LOCATED AT 13281 MILE LAKE DRIVE
(CITY FILE NUMBER 24-29)**

WHEREAS, Craig and Heather Vogl ("the applicant") have requested approval of a conditional use permit for property legally described as follows:

The South 1/2 of Lot 3 Section 10, Township 133, Range 29 West, Crow Wing County, Minnesota; subject to an easement of record.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called Public Hearing on August 14, 2024 and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their August 20, 2024 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 conditional use permit subject to the following findings and conditions:

1. The conditional use permit allows for filling and grading in the shoreland district of Mile Lake, in accordance with the application and plans received by the City on July 15, 2024, and grading and tree clearing plan received on July 30, 2024, except as may be amended by this resolution, based on the finding that all applicable conditional use permit standards have been met as identified in the staff report dated August 14, 2024.
2. The applicant shall install silt fencing between the edge of the grading extent and the lake to protect the lake from erosion runoff. Erosion control must be maintained on the property until permanent groundcover is established.
3. The smallest amount of bare ground is exposed for as short a time as feasible.
4. Methods including temporary ground cover shall be used to prevent erosion and trap sediment.
5. All fill shall be stabilized to accepted engineering standards.
6. A grading permit is required prior to beginning construction.

7. The project area shall be established with permanent ground coverage after project completion.

8. Prior to issuance of a grading permit, the applicant shall:

A. Enter into an escrow agreement with the City for restoration of the project area and submit as cash escrow for 100% of the estimated cost of the restoration.

B. Submit a re-vegetation plan that includes a plan for specific re-vegetation, tree-density, and tree placement areas, along with maintenance plans adequate to keep seedlings from dying upon transplantation.

9. Approval shall expire within one year of the date of approval unless the applicant commences the authorized use and completes the required improvements.

Whereupon, said Resolution is hereby declared adopted on this 20th day of August 2024

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal