



8319 County Road 11  
Breezy Point, MN 56472  
Phone: (218) 562-4093  
Fax: (218) 562-4486  
[www.cityofbreezypointmn.us](http://www.cityofbreezypointmn.us)

Received by City: 2/24/24  
Application Number: U-24-008  
Non-refundable Fee Paid: 250  
Receipt #: 23568

## Variance Application

Name of Applicant BOB PANURE  
Address 6501 CHEROKEE TRAIL W  
City, State, Zip EDEN PRAIRIE MN 55344  
Phone 952-221-0791 Alternate Phone \_\_\_\_\_

Physical Address / Location of Property 32614 SOUTH BAY LN  
BREEZY POINT MN 56472

Legal Description of Property N. 100 FT OF S. 500 FT OF GOW LOT 5

Parcel ID Number 10030682 Zoning District R-Z

Applicant is:

- ☐ Legal Owner of Property  
☐ Contract Buyer  
☐ Option Holder  
☒ Agent  
☐ Other \_\_\_\_\_

Title Holder of Property (if different than applicant):

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, ZIP \_\_\_\_\_  
Phone \_\_\_\_\_

State the nature of your request in detail. What are you proposing for your property?

DEMO OF EXISTING 638 SQFT TO BUILD NEW 1244 SQFT  
GARAGE WITH A 16'8" SETBACK TO A WET LAND.

Signature of Owner, authorizing application \_\_\_\_\_

(By signing, the owner is certifying that he/she has read and understands the instructions accompanying this application.)

Signature of Applicant (if different than owner) \_\_\_\_\_

(By signing, the applicant is certifying that he/she has read and understands the instructions accompanying this application.)

**\*By signing above, I acknowledge that I understand that I am responsible for all fees incurred by the City as a result of professional services provided by the City Engineer, City Attorney, and other contracted agencies in reviewing my application.\***

**APPLICANTS, PLEASE NOTE:** Pursuant to the Breezy Point Zoning Ordinance, the applicant should be prepared to explain the unique situation on the property that requires the proposed variance. The Zoning Ordinance defines a hardship as the follows: "A hardship exists if the property in question cannot be reasonably utilized under the conditions allowed by the official controls, if the plight of the landowner is due to circumstances unique to the property

and not of his own making, and the variance (if granted) would not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship as reasonable use of utilization of the property exists under the terms of the Ordinance."

**The following questions must be answered.**

1. What changes are you proposing to make to this property?

Building: DEMO EXISTING GARAGE + BUILD NEW

Landscaping: IMPLEMENT STORMWATER PLAN

Parking/Signs: DRIVEWAY ACCESS TO GARAGE

2. What are the unique circumstances of the property (parcel size, shape, topography, or other characteristics not created by the landowner) that make strict interpretation of the Ordinance impractical?

DUE TO PARCEL SIZE, TOPOGRAPHY, ROADWAY, AND THE WETLAND THE PROPERTY HAS A SMALL WINDOW TO WORK IN.

3. How is granting this variance consistent with the intent of the City of Breezy Point Zoning Ordinance?

THE PROPOSED STRUCTURE IS ALLOWABLE IN SIZE PER THE ORDINANCE AND IS CONSISTENT WITH OTHER STRUCTURES IN THE COMMUNITY

4. How will **reasonable** use of the property be deprived if the variance is not granted?

VARIANCE IS NEEDED FOR ANY INCREASE IN THIS STRUCTURE SIZE WHICH IS ALLOWABLE IN THE ORDINANCE

5. What other options, either conforming or non-conforming, have been considered and why were those options not chosen?

DUE TO LOT CONSTRAINTS NO OTHER OPTIONS HAVE BEEN CONSIDERED AS THIS IS THE ONLY LOCATION AVAILABLE

6. Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

THE PROPOSED STRUCTURE IN SIZE AND SCALE IS CONSISTENT WITH THE LOCAL CHARACTER. THE NEW STRUCTURE WILL NOW HAVE A CONFORMING SIDE SETBACK.

7. Describe the character of the area and the existing patterns and uses of development in the area. How is this proposal consistent with those patterns and uses?

THERE ARE DETACHED GARAGES ALONG SOUTH BAY LN

THAT ARE CONSISTANT IN CHARACTER AND USE

8. Discuss any environmental limitations of the site or the area that limit building in other areas.

THE WETLAND, AND AREA NEEDED FOR SEPTIC, AS WELL AS THE ROAD LIMIT OTHER AREAS.

9. Please include any other comments pertinent to this request.

### INSTRUCTIONS TO THE APPLICANT

Completed applications, with all submittal requirements, must be submitted to the Planning & Zoning Department no fewer than 25 days prior to the meeting date. In order for your application to be accepted as complete, and to have a public hearing scheduled, the following

- ✓ 1. This application must be completed, including responses to all parts of this application.
- ✓ 2. The required fee must be paid. See fee schedule for details.
- ✓ 3. Certificate of Survey with the following information, as a minimum, unless waived by the Planning Commission / Board of Adjustment.
  - ✓ Legal description of the site.
  - ✓ Site plan, prepared by a licensed surveyor, showing parcel and existing structure dimension, water features, and 10 foot contour lines (smaller contour lines may be required if deemed necessary by the Planning Department, Planning Commission, or City Council).
  - ✓ Location of all structures and their square footage.
  - ✓ Existing and proposed curb cuts, driveways, access roads, turn-arounds, parking including RV, boat and additional vehicle storage, off-street loading, and sidewalks. Size and type of surface should also be included.
  - ✓ Proposed landscaping and screening plans: garbage dumpsters, areas preserved in natural state including buffer areas, areas to be developed into lawn (grass), areas to be covered by woodchips or mulch, garden areas, shrubbery, types, size, age, and number of proposed trees and their locations, exterior lighting to be proposed including location and type, any other items deemed appropriate.
  - ✓ Square footage of all impervious coverage. Impervious coverage includes the horizontal area of all buildings, decks, roof overhangs, patios, walks, driveways, and any other parking areas and drives constructed of any material.
  - ✓ Proposed drainage plan.
- IN DEFEAN Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day.
- IN DEFEAN Soils data showing capability for building and on-site sewage treatment.
- ✓ Existing iron pipe boundary monuments marked with proof of survey.
- N/A Approximate location of any proposed signs (if applicable).
- N/A 4. Color scheme for all existing and proposed structures.
- N/A 5. Outside storage proposal.
- ✓ 6. Elevation plans for all existing and proposed structures.

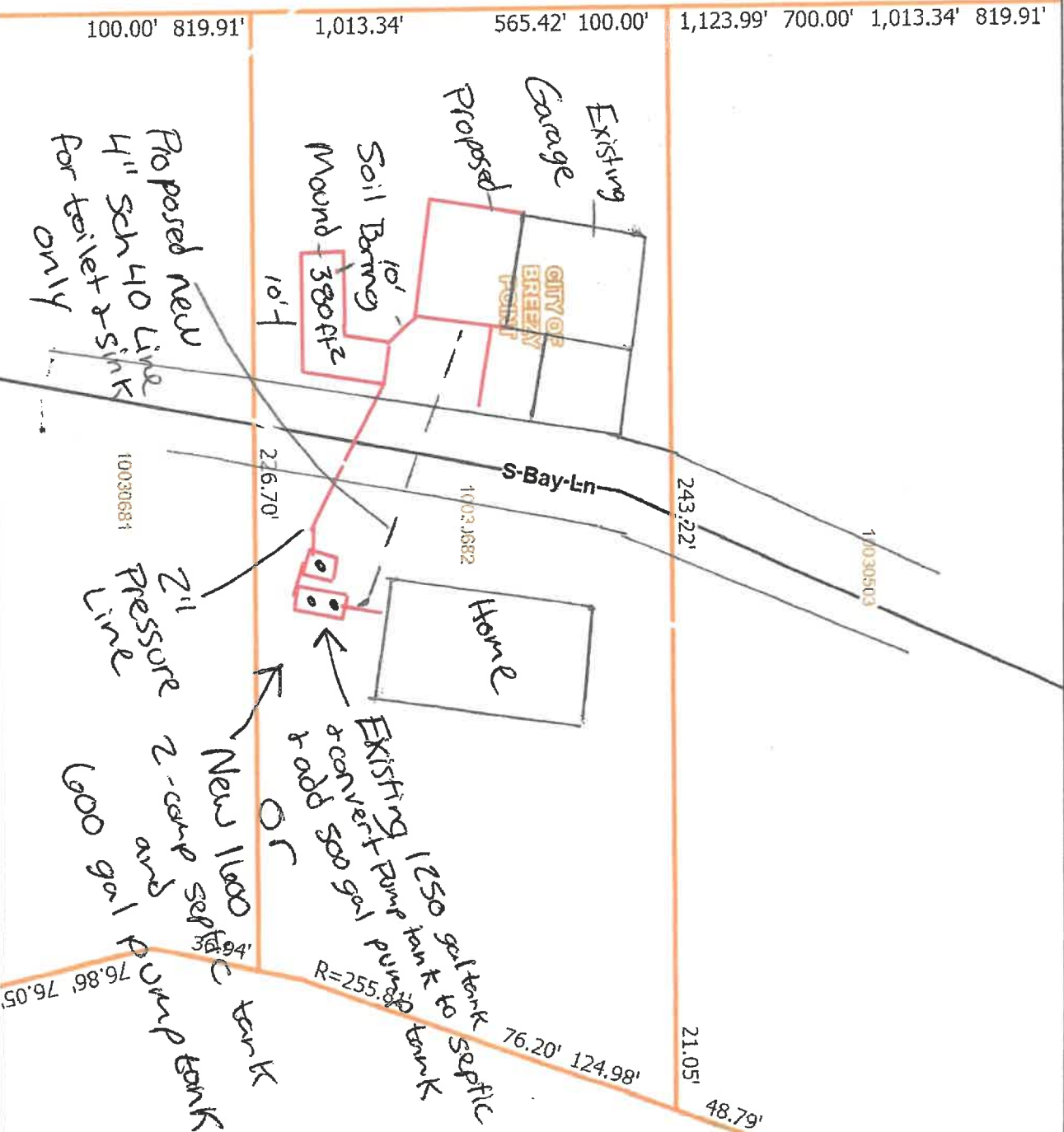
SETH GRADDAHL  
#2951

# Panure Site

10030656

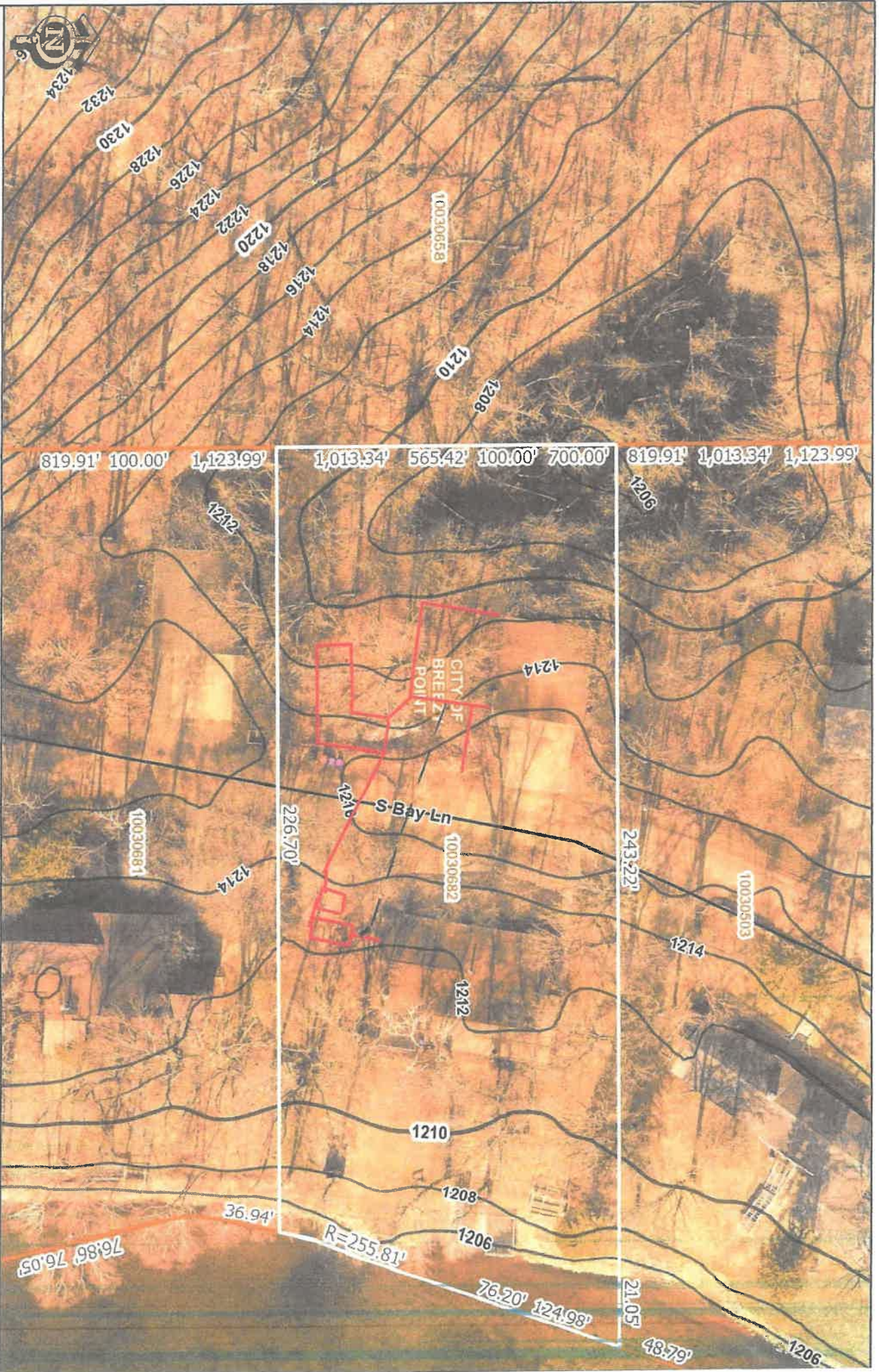
## Soil Boring

0-10"	10YR 3/3	SL
10-20"	10YR 5/4	MS
20-37"	10YR 6/4	MS
37" + Water Table		



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.





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## Map Unit Description (MN)

Crow Wing County, Minnesota

[Data apply to the entire extent of the map unit within the survey area. Map unit and soil properties for a specific parcel of land may vary somewhat and should be determined by onsite investigation]

### D76D--Graycalm-Grayling complex, pitted, 2 to 20 percent slopes

#### Graycalm

*Extent:* 15 to 70 percent of the unit  
*Landform(s):* rises on outwash plains  
*Slope gradient:* 8 to 20 percent  
*Parent material:* outwash  
*Restrictive feature(s):* greater than 60 inches  
*Flooding:* none  
*Ponding:* none  
*Drainage class:* somewhat excessively drained

*Soil loss tolerance (T factor):* 5  
*Wind erodibility group (WEG):* 2  
*Wind erodibility index (WEI):* 134  
*Kw factor (surface layer):* .15  
*Land capability, nonirrigated:* 4s  
*Hydric soil:* no  
*Hydrologic group:* A  
*Potential for frost action:* low

Representative soil profile:			Texture	Permeability	Available water capacity	pH
A	—	0 to 4 in	Loamy sand	rapid	0.35 to 0.43 in	4.5 to 5.5
Bw1	—	4 to 20 in	Loamy sand	rapid	1.29 to 1.61 in	5.0 to 6.0
Bw2	—	20 to 31 in	Sand	rapid	0.44 to 0.66 in	5.0 to 6.0
E and Bt	—	31 to 79 in	Sand	rapid	2.38 to 3.81 in	5.5 to 6.5

#### Grayling

*Extent:* 15 to 40 percent of the unit  
*Landform(s):* rises, outwash plains  
*Slope gradient:* 8 to 20 percent  
*Parent material:* outwash  
*Restrictive feature(s):* greater than 60 inches  
*Flooding:* none  
*Ponding:* none  
*Drainage class:* excessively drained

*Soil loss tolerance (T factor):* 5  
*Wind erodibility group (WEG):* 2  
*Wind erodibility index (WEI):* 134  
*Kw factor (surface layer):* .20  
*Land capability, nonirrigated:* 4s  
*Hydric soil:* no  
*Hydrologic group:* A  
*Potential for frost action:* low

Representative soil profile:			Texture	Permeability	Available water capacity	pH
A	—	0 to 8 in	Loamy sand	rapid	0.63 to 0.87 in	5.1 to 6.5
Bw	—	8 to 47 in	Sand	rapid	1.95 to 4.29 in	5.1 to 6.5
BC	—	47 to 79 in	Sand	rapid	1.59 to 2.23 in	5.1 to 6.5

## Map Unit Description (MN)

Crow Wing County, Minnesota

### D76D--Graycalm-Grayling complex, pitted, 2 to 20 percent slopes

#### Graycalm, moderately sloping

*Extent:* 10 to 25 percent of the unit

*Landform(s):* rises on outwash plains

*Slope gradient:* 2 to 8 percent

*Parent material:* outwash

*Restrictive feature(s):* greater than 60 inches

*Flooding:* none

*Ponding:* none

*Drainage class:* somewhat excessively drained

*Soil loss tolerance (T factor):* 5

*Wind erodibility group (WEG):* 2

*Wind erodibility index (WEI):* 134

*Kw factor (surface layer):* .15

*Land capability, nonirrigated:* 4s

*Hydric soil:* no

*Hydrologic group:* A

*Potential for frost action:* low

Representative soil profile:			Texture	Permeability	Available water capacity	pH
A --	0 to 4 in	Loamy sand		rapid	0.35 to 0.43 in	4.5 to 5.5
Bw1 --	4 to 20 in	Loamy sand		rapid	1.29 to 1.61 in	5.0 to 6.0
Bw2 --	20 to 31 in	Sand		rapid	0.44 to 0.66 in	5.0 to 6.0
E and Bt --	31 to 79 in	Sand		rapid	2.38 to 3.81 in	5.5 to 6.5

This report provides a semitabular listing of some soil and site properties and interpretations that are valuable in communicating the concept of a map unit. The report also provides easy access to the commonly used conservation planning information in one place. The major soil components in each map unit are displayed. Minor components may be displayed if they are included in the database and are selected at the time the report is generated.

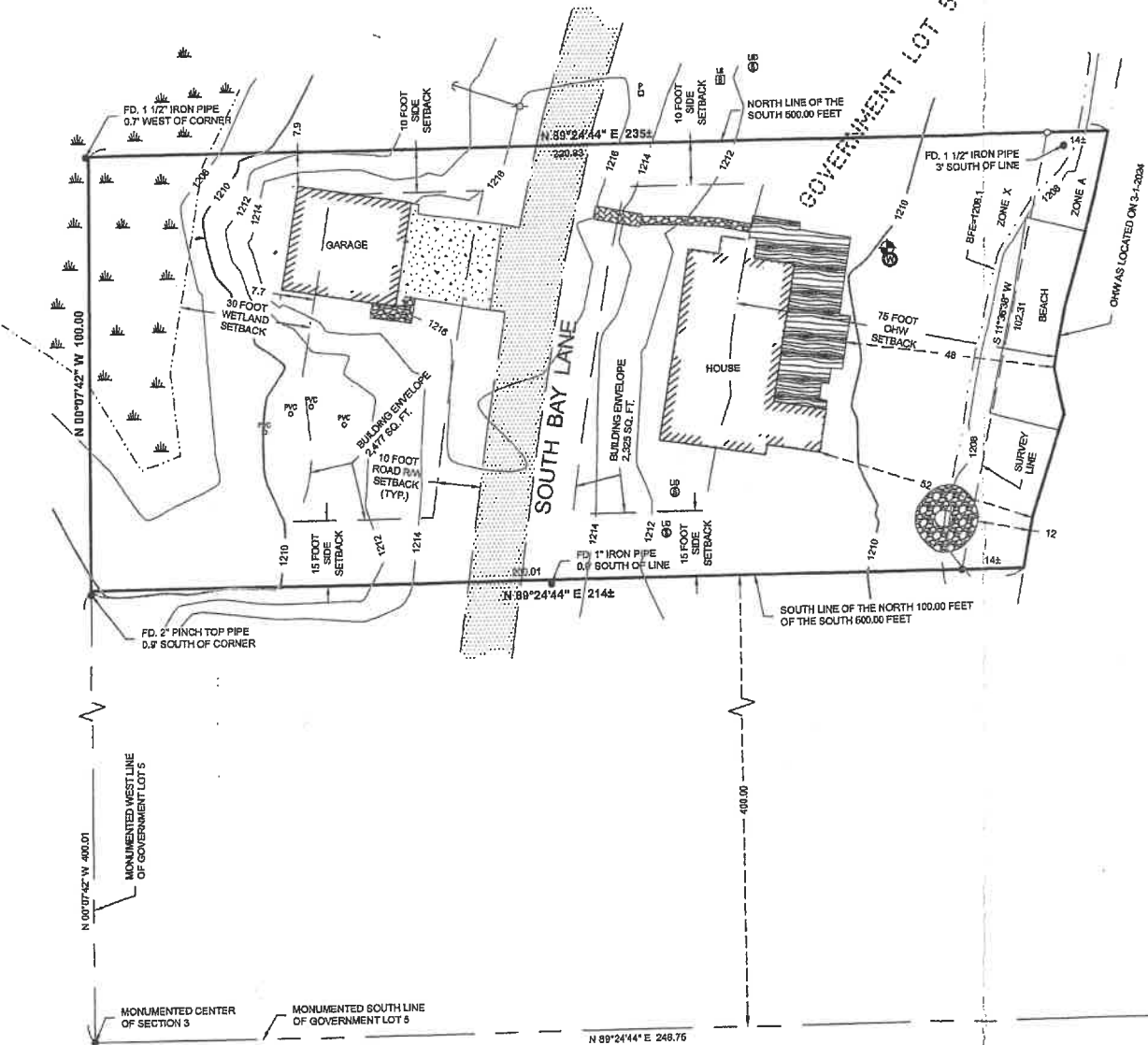
CERTIFICATE OF SURVEY

PART OF GOVERNMENT LOT 5,  
SECTION 3, TOWNSHIP 136 NORTH, RANGE 28 WEST,  
CROW WING COUNTY, MINNESOTA  
TOTAL AREA = 22,433 SQ. FT. ± / 0.5 ACRES ±

EXISTING CONDITIONS  
4/29/24  
WETLAND DELINEATION  
3/15/24

LEGAL DESCRIPTION PER DOCUMENT NUMBER 0581776

The North 100 feet of the South 500 feet of Government Lot 5, Section 3, Township 136, Range 28  
Together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:  
Subject to reservations, restrictions and easements of record, if any.



OSSAWINNAKEE LAKE

GENERAL DEVELOPMENT CLASSIFICATION  
LAKE ELEVATION = 1205.42 ON 3-1-2024

ORDINARY HIGH WATER ELEVATION = 1206.10

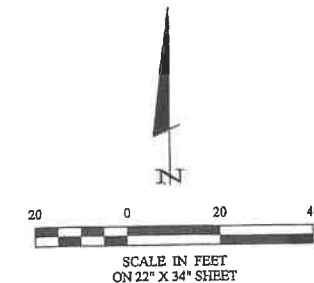
BENCHMARK: 3" BRASS CAP STAMPED "DEPT. OF CONSERVATION" ON NW CORNER ABUTMENT OF THE DAM AT THE EASTERLY OUTLET (PELICAN BROOK) ON OSSAWINNAKEE LAKE, HAS AN ELEVATION = 1210.87

BASED ON NGVD 29 DATUM

LEGEND

- DENOTES EDGE OF EXISTING GRAVEL
- DENOTES EDGE OF EXISTING CONCRETE
- DENOTES EDGE OF EXISTING PAVING STONES
- DENOTES EDGE OF EXISTING WOODEN DECKING
- DENOTES EDGE OF EXISTING FLAGSTONE
- DENOTES EXISTING INTERMEDIATE CONTOURS
- DENOTES EXISTING INDEX CONTOURS
- DENOTES WET LAND(S)
- DENOTES EXISTING PHONE PEDESTAL & PHONE BOX
- DENOTES EXISTING WELL
- DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- DENOTES EXISTING SEPTIC LIFT STATION
- BENCHMARK: HIGH POINT OF WELL  
ELEV. = 1211.04  
BASED ON NGVD 29 DATUM
- DENOTES MONUMENT FOUND
- DENOTES IRON MONUMENT SET MARKED BY LICENSE No. 41002

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE SYSTEM.



NOTES:

- Contour interval as shown = 2 feet. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 3-1-2024.
- Zoning for subject tract = "Medium Density Residential (R-2)".
- Parcel ID of subject parcel: 10030682.
- The E911 address of subject parcel: 32614 South Bay Lane.
- Setbacks as shown can be subject to interpretation. Verification of setbacks by the governing body is advised prior to building.
- Property is in "Zone X" and "Zone A" as per the FIRM, Flood Insurance Rate Map. "Zone A" definition: Areas of 100-year flood base elevations and flood hazard factors not determined. "Zone X" definition: Areas of minimal flooding.
- There are no bluffs within surveyed property.
- Stonemark Land Surveying, Inc. has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- Wetland delineation was completed on 3-15-2024, by Ben Meister, Meister Environmental, LLC. MN Certified Wetland Delineator #1031.

IMPERVIOUS CALCULATIONS

EXISTING	IMPERVIOUS AREA (sq.ft.)	Net Area (sq.ft.)	Percent Impervious
House	1,238	21,217	5.8%
Garage	638	21,217	3.0%
Concrete, Pavers & Flagstone	712	21,217	3.4%
Deck	608	21,217	2.9%
Gravel Driveway	78	21,217	0.4%
Total	3,270	21,217	15.4%

NET AREA = TOTAL AREA LESS SOUTH BAY LANE DRIVING SURFACE.

30206 Rammer Road  
Suite 1  
P.O. Box 874  
Pequot Lakes, MN 56472  
218-568-4940  
www.stonemarksurvey.com



I HEREBY CERTIFY THAT THIS SURVEY PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
PATRICK A. TROTTER  
4-29-2024  
41002

REVISIONS  
DESCRIPTION  
DATE

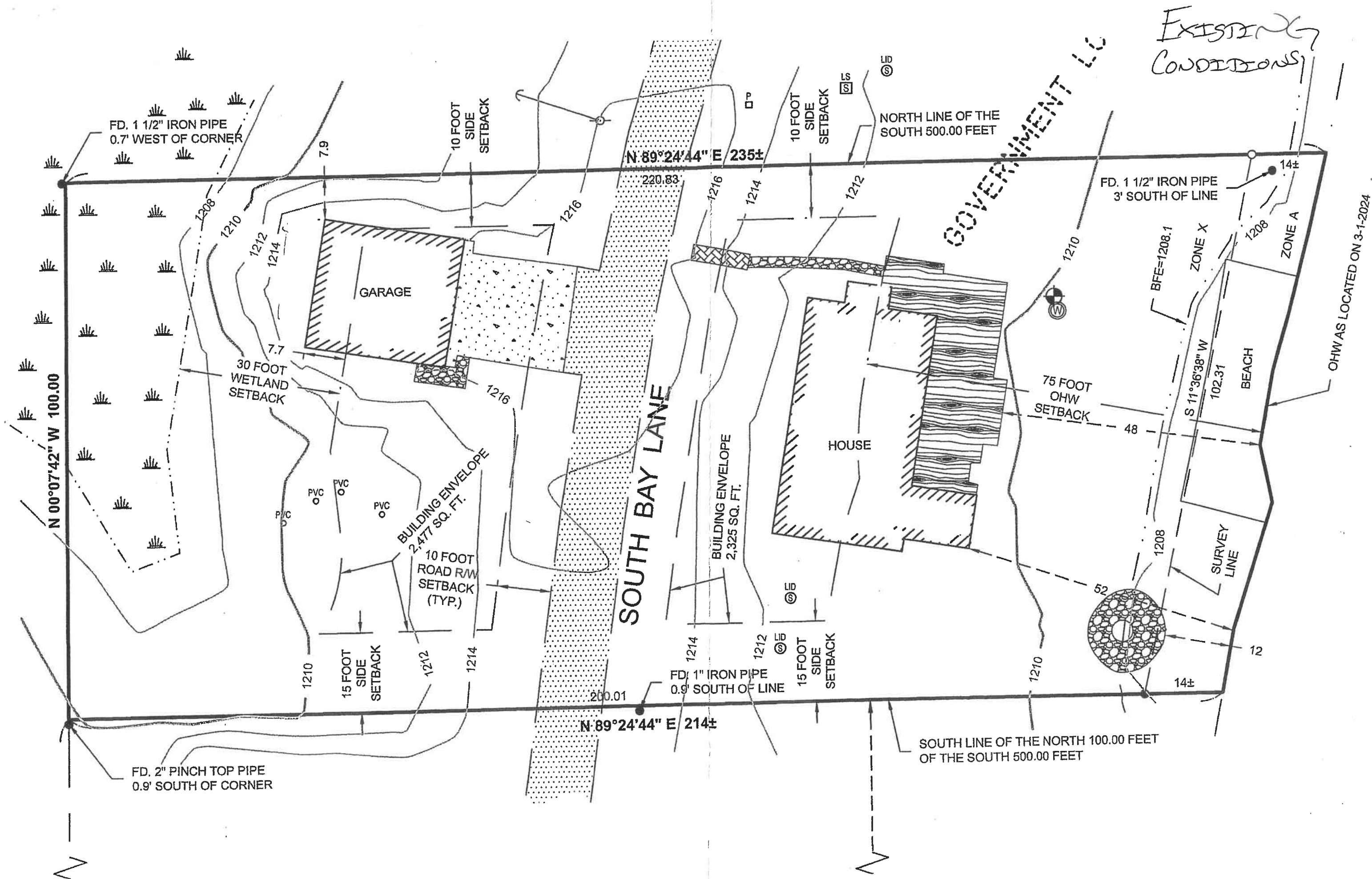
PROJECT No.: 24027  
FILE NAME: C24027.dwg  
FIELD BOOK: BOOK  
DATE: 4-29-2024  
SCALE: 1"=20'  
HORIZ.: NONE  
VERT.: NONE

CHECKED BY: PAT  
DRAWN BY: RJF

CERTIFICATE OF SURVEY  
Bob Pearce  
6501 Cherokee Trail W  
Eden Prairie, MN 55444

1 of 1





EXISTING  
CONDITIONS

GOVERNMENT LC

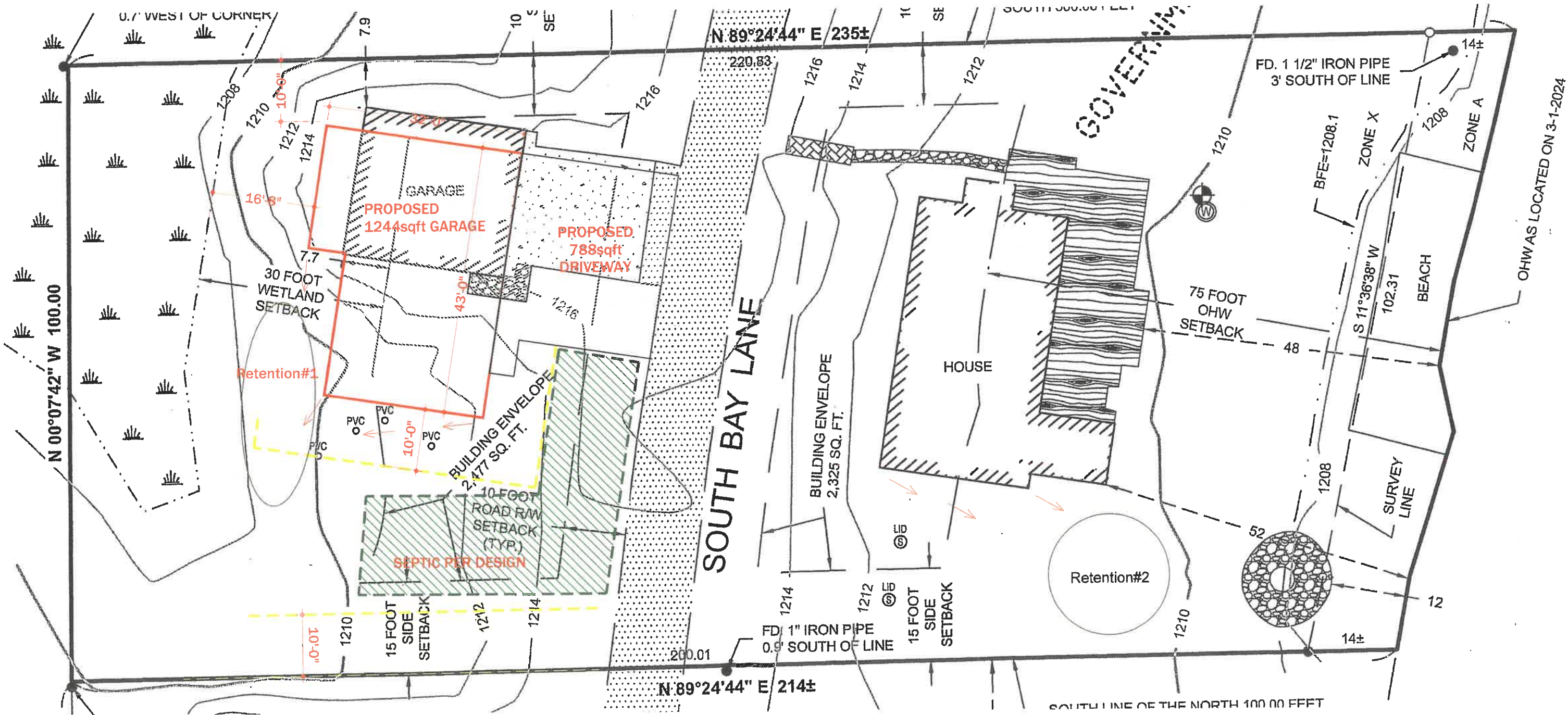
OHW AS LOCATED ON 3-1-2024

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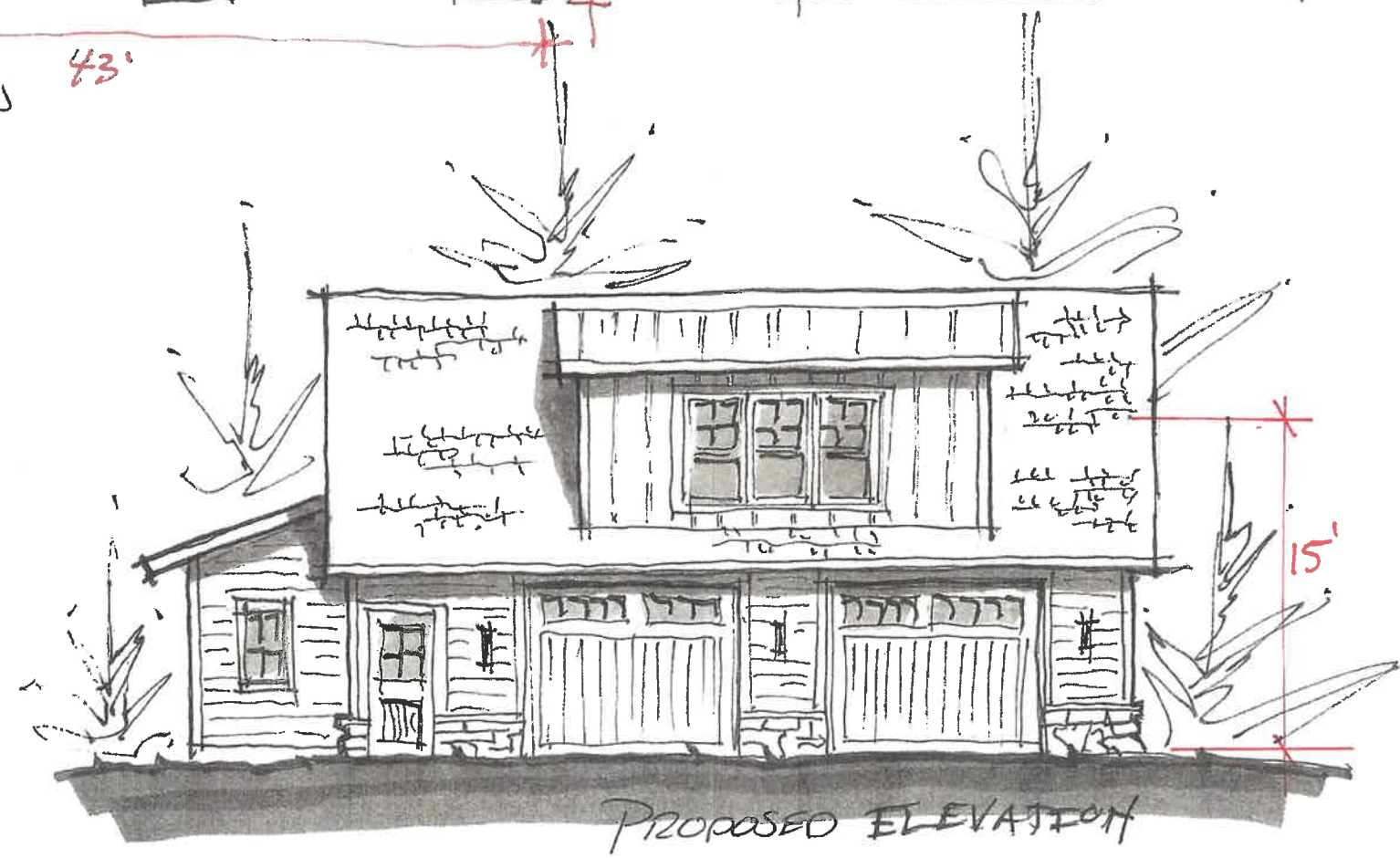
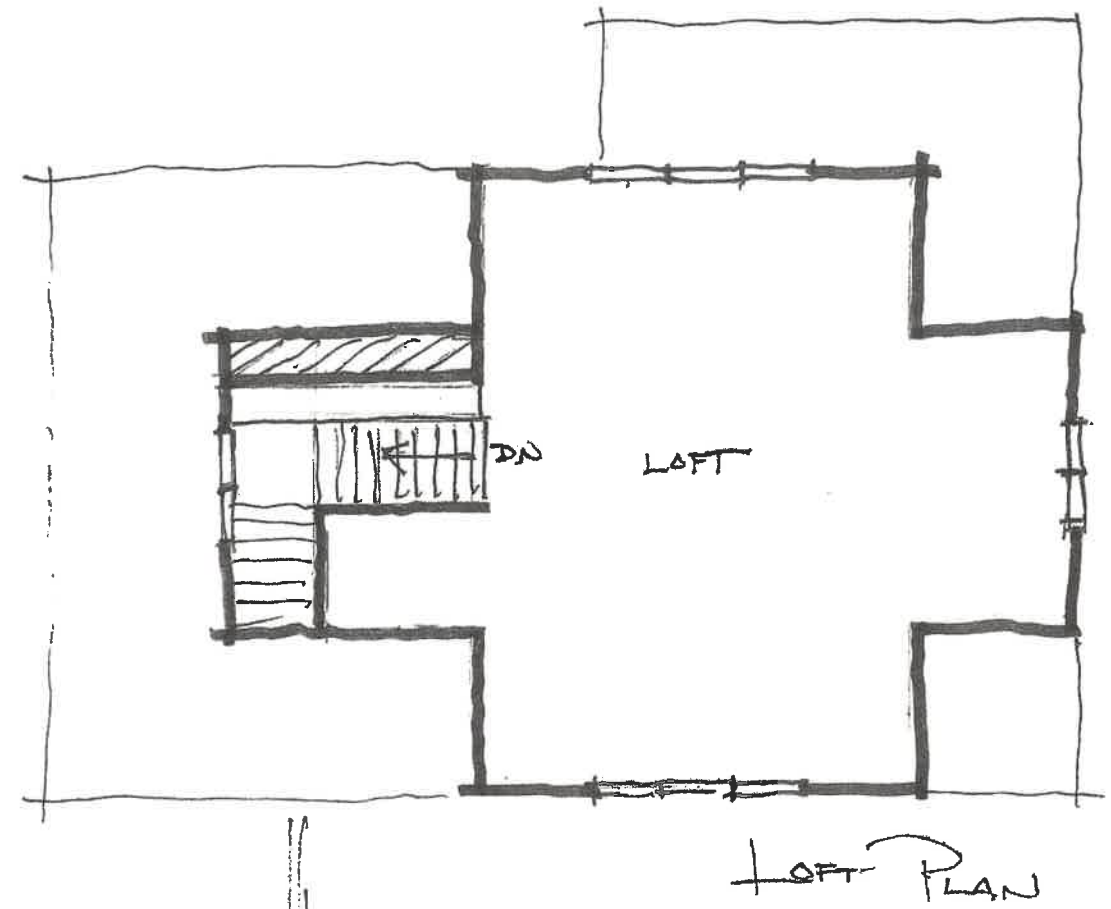
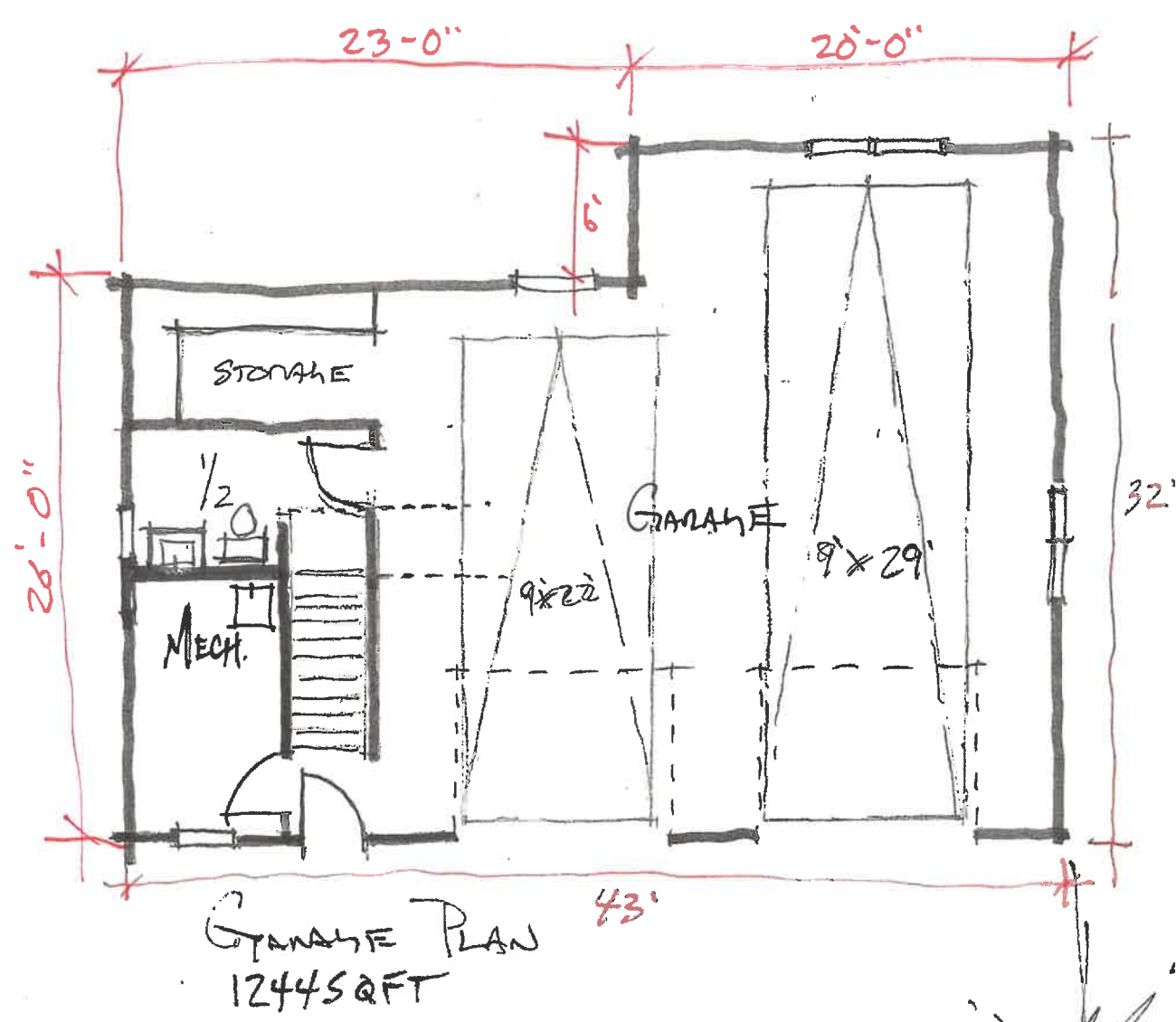
PROPOSED SITE PLAN

IMPERVIOUS CALCULATIONS			
	Impervious Area (sq.ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
HOUSE	1236	21217	5.8%
NEW GARAGE	1244	21217	5.9%
NEW DRIVEWAY	788	21217	3.7%
PAVERS & LANDSCAPING	244	21217	1.2%
Total	7845	21217	16.6%

REQUIRED STORM WATER STORAGE AREA			
(cu.ft.)	Depth (ft.)	Area (sq.ft.)	
			7845 sq.ft. X 0.0833ft = 653 cu.ft.
326.5	1	326.5	Stormwater Retention Garden #1
326.5	1	326.5	Stormwater Retention Garden #2
653		653	Total









\* PROPOSED GARAGE TO MATCH COLOR SCHEME OF EXISTING CABIN.

