

# Planning Advisory Commission

September 26, 2019

PLAT#19227

POPE MINNESOTA  
COUNTY

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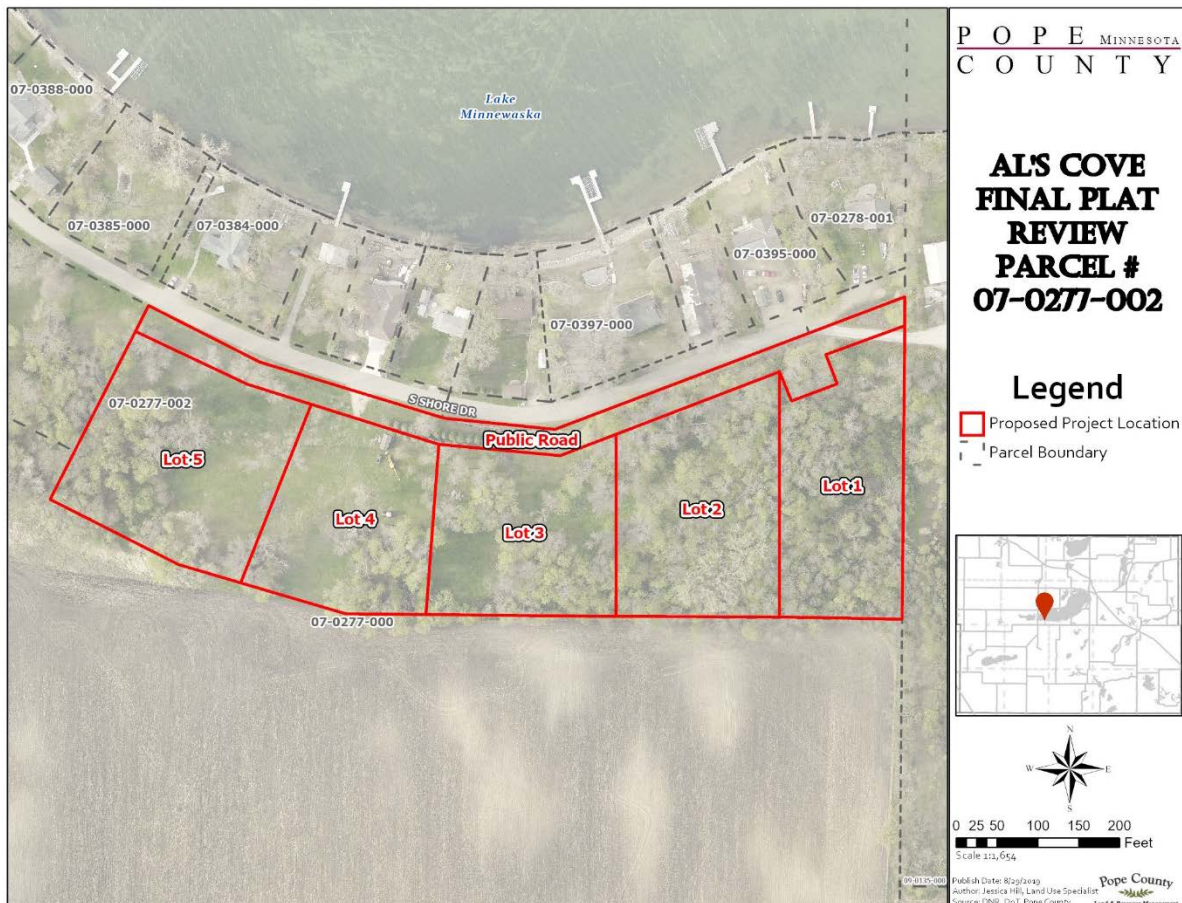
## STAFF REPORT

### Applicant Information

**Applicant:** Rod Eldevik on behalf of Allen Dyr Dahl

**Application:** Final Plat Review hearing of Al's Cove on the application by Rod Eldevik on behalf of Allen Dyr Dahl, for a five (5) lot residential subdivision on property described as a 6.45 acre parcel, in a Shoreland-General Development (S-GD) zoning district per section 10.25 of the Pope County Land Use Controls Ordinance.

**Location:** Part of Government Lot 1, Section 36, Township 125 (White Bear Lake), Range 39, Pope County, Minnesota.



DISCLAIMER: THIS MAP IS NOT A SUBSTITUTE FOR ACCURATE FIELD SURVEYS OR FOR LOCATING ACTUAL PROPERTY LINES AND ANY ADJACENT FEATURES.

## Background

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The applicant is proposing to convert a 6.85-acre parcel into a five (5) lot residential subdivision. The 6.85-acre non-riparian parcel is located in the Shoreland-General Development (S-GD) zoning district associated with Lake Minnewaska.

## Applicable Statutes

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- This application is subject to the criteria applicable to all subdivisions listed in Section 10.25 of the Pope County Land Use Controls Ordinance as well as:
  - Minnesota Statutes 394
  - Minnesota Statute 505
  - Minnesota Rules 6120 (DNR Shoreland)
  - Minnesota Rules 7080 (MPCA Subsurface Sewage Treatment Systems Program)

## Staff Comments

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1. The proposed subdivision is located near the city of Starbuck on the southwest portion of Lake Minnewaska. This is a Shoreland-General Development zoned area in White Bear Lake township. Lake Minnewaska is an 8,000 acre lake with a mean depth of seventeen (17) feet and a maximum depth of thirty-two (32) feet. The lake provides good recreational resources including a healthy fishery and being suitable for swimming and wading with low algae levels throughout the open water season.
2. The total number of units proposed for this shoreland development does not meet the minimum threshold for a mandatory EAW.
3. The minimum lot size in this zoning district is 40,000 square feet. The average lot size in the proposed subdivision is 49,569 square feet, all of which exceed one acre.
4. There is an area of wetlands as identified by the National Wetlands Inventory that is located along the westly parcel boundary. The surveyor has identified (noted on the plat document) the actual location and extent of the wetlands as being in the southwest area of the parcel.



5. On December 04, 2018, Ralph Hanson (L&RM Land Use Specialist, MPCA Certified Inspector (C9884)) met onsite with Rick Erickson (MPCA Licensed SSTS Designer, L1507) to evaluate soils on the parcel. A test pit was dug where it was determined that a limiting layer existed at 35 inches. This is an indication that if the sites were to be developed for residential use, then it is likely that a mound system would be required. Individual soil test (borings) will be required at such time that a residential structure is proposed to establish suitability for an on-site Subsurface Sewage Treatment System (SSTS).
6. Subsequent property owners will be subject to permitting requirements which may include: addressing, access, construction activity, shoreland alterations, and SSTS installation permits.
7. Southshore Drive is considered a local road.

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### Staff Recommendation

#### *Approve with Conditions*

Based on the findings of fact as presented in this report, staff does not object to a recommendation of approval of the Final Plat of Al's Cove to the Board conditioned upon:

1. Prior to submittal to the Board that there is formal acknowledgement of the township's acceptance of responsibility for the construction and maintenance of the designated turnaround area.

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### Staff Findings

The Staff offers the following findings:

1. **Coordination with existing nearby development:** The proposed subdivision coordinates well with the existing neighborhood. There is shoreland residential development all along the lake.
2. **Consistent with Comprehensive plan:** The proposed development is consistent with the Pope County Comprehensive Plan, and it meets the requirements for lot dimensions in the zoning ordinance which are designed to protect water quality and shoreland areas from impacts associated with residential development.





3. **Land/soil suitability:** Based on the County soil survey, Barnes-Langhei loams (BbB2) is the predominant type of soil on site where the development is proposed. Barnes-Langhei loams (BbB2) have 2 to 6 percent slopes and are suited to grow most common crops. The Barnes series of soil consists of deep, well drained soils that have developed in calcareous loam glacial till. These soils will produce crops however row cropping can create a serious issue of water erosion. The Langhei soil has a high content of lime and can cause an imbalance of plant nutrients. Regarding appropriateness for building sites, the BbB2 soils represent a slight limitation and has been designated as having moderate Shrink-swell potential.
4. **Agriculturally Important Lands:** The property is currently zoned Shoreland-General Development. It is wooded and undeveloped. Residential or seasonal recreational uses are appropriate based on the zoning classification.
5. **Conformance to Applicable Rules and Regulations.** All lots, as proposed on the submitted preliminary plat, conform to the minimum zoning requirements. Conditions have been recommended that will require all other aspects of the property and structures to be in conformance with the requirements of the zoning ordinance.
6. **Self-Imposed Restrictions.** The developer has not indicated that there will be any additional restrictions or covenants.
7. **Adequate Public Facilities.** The lots will be served by individual wells and subsurface sewage treatment systems. Access to the lots will be by existing public roads/right-of-ways.
8. **Debris and Waste.** The applicant does not propose to use any area within the development to bury debris or waste.



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## REPORT APPENDIX

- **Routing Sheet** (*Comments, concerns and conditions*)
- **Public Notice**
- **Supplemental Information**
  - **Attachment 1:** *Final Plat (Eldevik Land Surveying, 26 August 2019)*



## Routing Sheet

### Comments, Concerns and Conditions

#### Agency

MN DNR            No comments received.

#### County Department

Assessor            COMMENTS: *None*  
*PROPOSED CONDITIONS: None*

Attorney            No comments received.

Auditor            *COMMENTS: My concern, as stated when the Preliminary Plat Review was done, would be who would legally own the proposed road and/or maintain the road. The County does not want to be in a situation where the road parcel or any other parcel (a drainage easement for example) would be forfeited in the future.*

*PROPOSED CONDITIONS: Property taxes for the second half of 2019 are due October 15, 2019 in the amount of \$206.00.*

E911/IT            *PROPOSED CONDITIONS: Addressing: Will need an address per parcel, but can wait and have new owners apply for address when they are ready to build. Driveways need to be in to assign address.*

Emergency Mgt    *COMMENTS: Emergency Management does not see any issues with this subdivision.*

Engineer            *COMMENTS: As stated in previous routing sheets, I believe the proposed turn around is a better application for this development based on existing terrain and existing plat on the North side of the existing road. The additional road right-of-way is important for the future and township's ownership/jurisdiction over that dedicated right-of-way should be established as part of the existing town road.*

Recorder            *COMMENTS: Please see MN Statute 507.093 Standards for documents to be recorded or filed for recording of documents in the Recorder's office. Our office shows per document #277379; which can be found in our Laredo program that the current owner of parcel 07-0277-002 is Allen & Nancy Dyrdaahl.*

Surveyor            No comments received.



Township

White Bear Lake No comments received.

Other Comments Received

No comments received.



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## Public Notice

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**POPE COUNTY LAND & RESOURCE MANAGEMENT  
POPE COUNTY COURTHOUSE  
130 E. MINNESOTA AVENUE, SUITE 113  
GLENWOOD, MINNESOTA 56334  
(320) 634-7791**

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**POPE COUNTY PLANNING ADVISORY COMMISSION  
NOTICE OF PUBLIC HEARING FOR  
FINAL PLAT REVIEW**

**Notice is hereby given** that a Public Hearing will be held in the Community Room of the Pope County Courthouse, 130 East Minnesota Ave, Glenwood, MN 56334 at 6:00 pm or shortly thereafter on Thursday, September 26th, 2019, where the Pope County Planning Advisory Commission will consider a final plat review per Pope County Land Use Ordinance sec. 10.25.

**Description of Request:** Final Plat Review hearing of Al's Cove on the application by Rod Eldevik on behalf of Allen Dyrdaahl, for a five (5) lot residential subdivision on property described as a 6.45 acre parcel, in a Shoreland-General Development (S-GD) zoning district per section 10.25 of the Pope County Land Use Controls Ordinance.

**Legal Description/Site Location:** Part of Government Lot 1, Section 36, Township 125 (White Bear Lake), Range 39, Pope County, Minnesota.

**Dated:** September 6, 2019

**By:** Jessica Hill  
Land Use Specialist  
Land & Resource Management





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## Supplemental Information

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**Supplemental Information Attachment 1:**  
*Final Plat (Eldevik Land Surveying, 26 August 2019)*

# AL'S COVE

KNOW ALL PERSONS BY THESE PRESENTS: That Allen D. Dyrdahl and Nancy K. Dyrdahl, husband and wife, owners of the following described property:

That part of Government Lot 1, Section 36, Township 125 North, Range 39 West, Pope County, Minnesota, described as follows:

Commencing at the southeast corner of said Section 36;

thence North 00 degrees 13 minutes 48 seconds West, along the east line of said Section 36, a distance of 2473.05 feet to a point on the monumented southerly line of that certain tract of land as described in Document Number 277379 and recorded in the office of the Pope County Recorder, said point being the point of beginning of the land to be described;

thence North 90 degrees 00 minutes 00 seconds West, along said monumented southerly line, 682.26 feet;

thence North 73 degrees 53 minutes 25 seconds West, continuing along said monumented southerly line, 213.58 feet;

thence North 63 degrees 00 minutes 22 seconds West, continuing along said monumented southerly line, 175.24 feet to the monumented westerly line of said certain tract, Document Number 277379;

thence North 26 degrees 18 minutes 43 seconds East, along said monumented westerly line, 264.38 feet to the southerly line of BARNESS CAMP, according to the recorded plat thereof;

thence South 63 degrees 37 minutes 49 seconds East, along said southerly line, 152.99 feet;

thence South 73 degrees 46 minutes 19 seconds East, continuing along said southerly line, 235.75 feet to the southerly line of BARNESS CAMP 2<sup>ND</sup> ADDITION, according to the recorded plat thereof;

thence South 84 degrees 23 minutes 28 seconds East, along said southerly line, 135.41 feet;

thence North 68 degrees 37 minutes 33 seconds East, continuing along said southerly line and said southerly line extended, 458.15 feet to the aforesaid east line of Section 36;

thence South 00 degrees 13 minutes 48 seconds East, along said east line, 395.70 feet to the point of beginning.

Have caused the same to be surveyed and platted as AL'S COVE, and do hereby dedicate to the public for public use the public way as created by this plat.

In witness whereof said Allen D. Dyrdahl and Nancy K. Dyrdahl, husband and wife, have hereunto set their hands this day of \_\_\_\_\_

Allen D. Dyrdahl \_\_\_\_\_ Nancy K. Dyrdahl \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, by Allen D. Dyrdahl and Nancy K. Dyrdahl, husband and wife.

Notary Public, \_\_\_\_\_ County, Minnesota \_\_\_\_\_ Notary Printed  
My Commission Expires \_\_\_\_\_

SURVEYOR'S CERTIFICATE

I, Rodney F. Eldevik, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been correctly set; that all water boundaries and wet lands, as defined in Minnesota Statutes 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

Rodney F. Eldevik, Licensed Land Surveyor  
Minnesota License Number 13845

STATE OF MINNESOTA  
COUNTY OF DOUGLAS

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, by Rodney F. Eldevik, Licensed Land Surveyor, Minnesota License Number 13845.

Notary Public, Douglas County, Minnesota \_\_\_\_\_ Notary Printed  
My Commission Expires \_\_\_\_\_

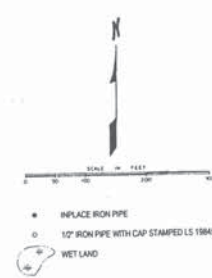
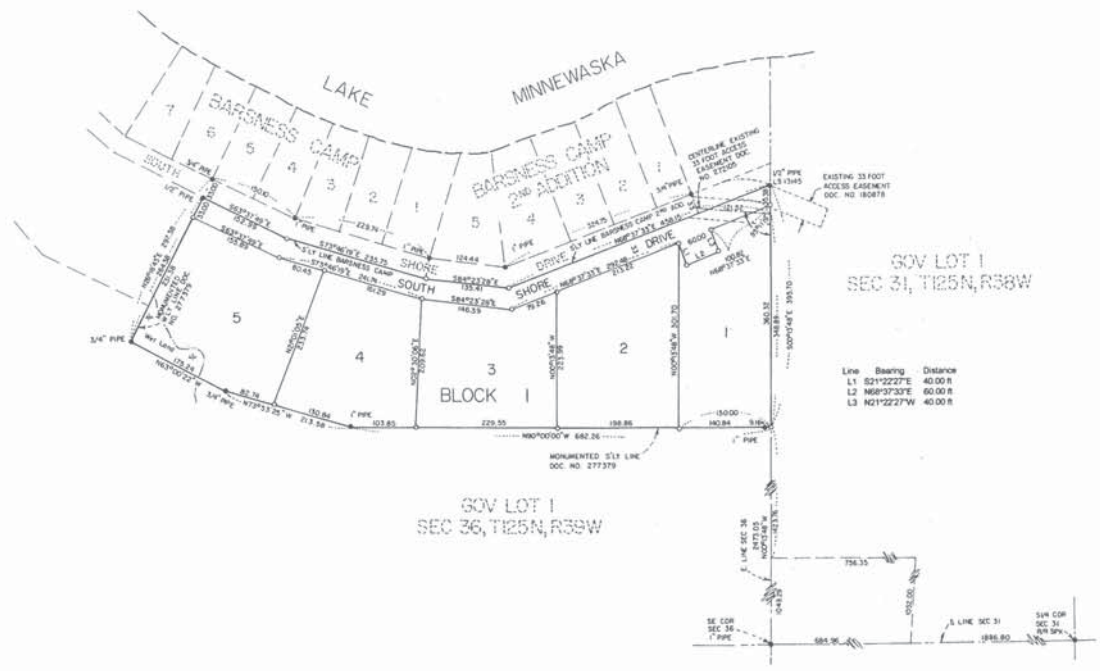
Approved by the Board of Commissioners of Pope County, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_

Chairman, Todd County Board of Commissioners \_\_\_\_\_ Attest: Pope County Coordinator \_\_\_\_\_

I hereby certify that I have reviewed this plat and found it to be in compliance with Chapter 505, Minnesota Statutes.

this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Licensed Land Surveyor  
Minnesota License Number \_\_\_\_\_



The east line of Section 36 is assigned a bearing of N00°17'46\"/>

Taxes for the current year are paid this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_  
Pope County Recorder

No delinquent taxes due and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_  
Pope County Recorder

I do hereby certify that proper evidence of title has been presented to and examined by me and I approve this plat as to form and execution this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_  
Attorney for Pope County

OFFICE OF THE COUNTY RECORDER  
POPE COUNTY, MINNESOTA

I hereby certify that this plat of AL'S COVE was filed in the Office of the County Recorder this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. and was duly recorded as Document Number \_\_\_\_\_ Slide No. \_\_\_\_\_

\_\_\_\_\_  
Pope County Recorder

SQUARE FOOTAGE / AREA  
Block 1 1211.68  
Lot 1 25271.68  
Lot 2 44271.68  
Lot 3 44271.68  
Lot 4 44271.68  
Lot 5 44271.68  
Lot 6 44271.68  
Lot 7 44271.68  
Total Area 25271.68

ELEDVIK LAND SURVEYING, INC.  
ALEXANDRIA MN