Board of Adjustment
March 26, 2026
VAR-26-005

POPECOUNTY MINNESOTA

S:\3. BOA-PAC\2026\3. 26 March 2026\5. BOA - 4 Items\3. 08-0279-000 Long OHWL VAR-26-005\3. Staff Report\BOA V.B.3. Long OHWL - VAR-26-005 - Staff Report.docx

STAFF REPORT

Applicant Information

Applicant: Jeremy Long

Application: Variance (VAR-26-005)

Zoning: Shoreland-General Development (S-GD)

Location: Lot 2, Fosse's Subdivision of Government Lot 4, Section 20, Township 125 (Minnewaska), Range 38, 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

The applicant requests a variance to reconstruct a residential structure closer to the Ordinary High Water Level (OHWL) of Lake Minnewaska than permitted.

- Required OHWL setback: 75 feet
- Setback averaging setback: 58.9 feet from OHWL
- Existing structure: 61.3 feet from OHWL
- Proposed structure: 52.8 feet from OHWL

The requested location (52.8 feet) is closer than both the required setback and the allowable averaged setback.

Applicable Statutes

Local Ordinance

- Pope County Land Use Controls Ordinance
  - Section 4.2 Shoreland-General Development District (S-GD)
    - Section 4.2.4 Setbacks

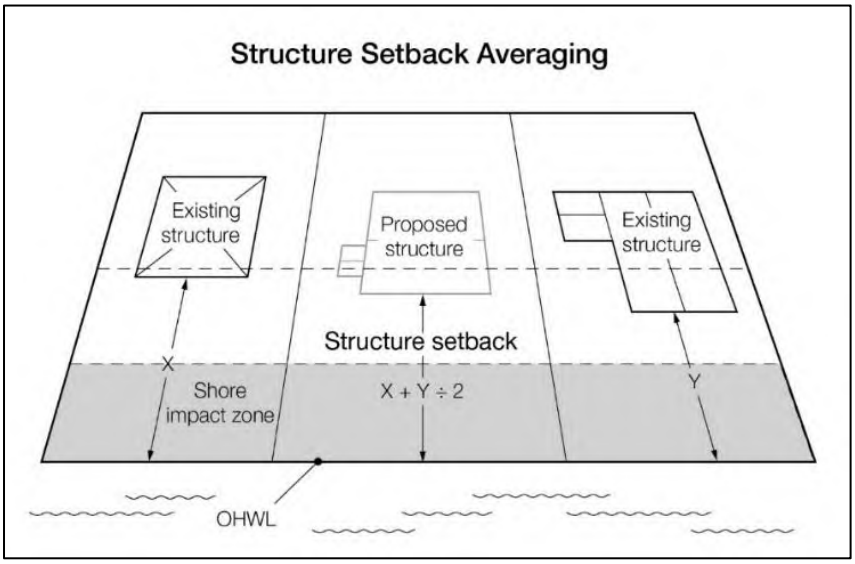
      A. Structure Setbacks: 75 feet from Ordinary High Water Level
    - Section 4.6.5 Placement, Height, and Design of Structures

      A. Placement of Structures and Subsurface Sewage Treatment Systems on Lots

      1. **OHWL Setbacks:** Structures, and subsurface sewage treatment systems (SSTS) must meet the following setbacks from the Ordinary High Water Level (OHWL), except that one water-oriented accessory structure, designed in accordance with Section 4.6.17 of this ordinance, may be set back a minimum distance of ten (10) feet from the OHWL:

Zoning District	Structure Setback from OHWL (feet)	SSTS Setback from OHWL (feet)
S-GD	75	50
S-RD	100	75
S-NE	200	150
S-RS	150	100

2. **Setback averaging:** Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone. In reference to the following diagram however, neither x nor y may be a number less than the shore impact zone.



- Section 4.6.7 Lots of Record

- Section 11.6 Variance from Standards

State Statute/Rule

- Minnesota Statute Chapter 394 Planning, Development, Zoning *(enabling legislation)*
  - 394.27 Subd 7 *Variances; practical difficulties*
- Minnesota Administrative Rules Chapter 6120, *Shoreland and Floodplain Management*
  - 6120.3300 Zoning Provisions
  - 6120.3900 Subp. 3 Variances: *Variances may only be granted in accordance with Minnesota Statutes, chapters 394 or 462, as applicable. They may not circumvent the general purposes and intent of the official controls. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. Conditions may be imposed in the granting of variances to ensure compliance and to protect adjacent properties and the public interest. In considering variance requests, boards of adjustment must also consider*

whether property owners have reasonable use of the lands without the variances, whether existing sewage treatment systems on the properties need upgrading before additional development is approved, whether the properties are used seasonally or year-round, whether variances are being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.

Staff Comments

Staff offers the following comments for consideration:

Lot of Record

In the S-GD zoning district, the minimum lot area required on a riparian lot is 20,000 square feet. The parcel in question is approximately 6,685 square feet in area. Additionally, the parcel was created in 1920 with the approval of Fosse's Subdivision of Government Lot 4. Therefore, as parcel 08-0279-000 is less than 10,000 square feet and was established prior to April 5, 1972, the parcel is considered a Lot of Record according to the Pope County Land Use Controls Ordinance, Section 4.6.7.

Reduced setbacks for parcels considered to be Lots of Record are provided for in Section 4.6.7 of the Pope County Land Use Controls Ordinance; however, there is not a reduction in the setback to the OHWL of Shoreland designated lakes in Pope County.

Neighborhood Analysis

Note: *The below comparisons are provided for context; variance decisions must be based on statutory criteria rather than neighborhood averages.*

A review of structures within 500 feet of the subject property indicates the following OHWL setback averages:

- Average residential setback: 52.5 feet

For Lots of Record only:

- Average residential setback: 55.9 feet

The proposed structure at 52.8 feet is closer to the OHWL than those on similar Lots of Record. One nearby residential structure (Parcel 08-0281-000) is located approximately 52 feet from the OHWL.

Table 1: Structures within 500 ft of Proposed Structure located on Sunny View Drive

Parcel	Lot of Record	Structure Type	Distance of Structure to OHWL
08-0195-000	N/A	Residence	46
08-0190-000	N/A	Residence	53

Parcel	Lot of Record	Structure Type	Distance of Structure to OHWL
08-0191-001	N/A	Residence	56.6
08-0191-000	N/A	Residence	36
08-0278-000	N/A	Residence	42
08-0287-000	N/A	Accessory	56.1
08-0280-000	Lot of Record	Residence	61.8
08-0281-000	Lot of Record	Residence	52
08-0282-000	Lot of Record	Residence	54
08-0283-601	N/A	Residence	51
08-0285-000	N/A	Residence	44
08-0286-000	N/A	Residence	54
08-0395-000	N/A	Residence	76
Total		**17**	**52.5**

OHWL Setback and Setback Averaging

Lake Minnewaska has an OHWL structure setback of 75 feet (see Section 4.2.4.A and 4.6.5 of the Pope County Land Use Controls Ordinance). Setback averaging may allow a reduced setback where structures exist on both adjacent parcels as described below.

> Section 4.6.5.A.2 indicates: *Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone.*

The below table provides the results of setback averaging in the case of Parcel 08-0279-000. Based on adjacent development, an average setback of approximately 58.9 feet is allowable without a variance.

Parcel	Direction from Parcel 08-0279-000	Type of Structure	Distance of Structure from OHWL
08-0280-000	South	Residential	61.8 ft
08-0287-000	North	Accessory	56.1 ft
		Setback Averaging:	***58.9 ft***

The shore impact zone is defined as: *land located between the OHWL of a public water and a line parallel to it at setback of 50 percent of the structure setback* (see Section 2.2 of the Pope County Land Use Controls Ordinance).

In the case of Lake Minnewaska, a public water basin, with a standard structure setback of 75 feet, 50% of this would be 37.5 feet from the OHWL.

The proposed building site is located at 52.8 feet from the OHWL; therefore, the structure is outside of the shore impact zone, however, it does not meet the setback averaging provision of the Pope County Land Use Controls Ordinance Section 4.6.5.A.2.

Therefore, a variance is required.

Comprehensive Plan Consistency

Based on Minnesota Statute 394.27 Subd. 7: A variance may be granted if it is in harmony with the general purposes and intent of the official control and when the variance is consistent with the Comprehensive Plan. The Comprehensive Plan emphasizes protection of shoreland resources, water quality, and orderly development.

Staff Analysis

Reduced setbacks toward the OHWL are inconsistent with these objectives and contributes to incremental shoreline encroachment.

Practical Difficulty Analysis

Based on Minnesota Statute 394.27 subd. 7: A variance may be granted if enforcement of the zoning ordinance as applied to a particular piece of property would cause the landowner "practical difficulties." All three statutory criteria must be met; failure to meet any one requires denial.

1. **Reasonableness**

   The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, this variance application is for a structure to be located where it will not meet the required setback from the OHWL. The question to be considered is: whether the request to place the proposed structure there is reasonable.

   Staff Analysis

   The property has an existing residential structure which is located 61.3 feet from the OHWL, the proposed residential structure would be located 8.5 feet closer to the OHWL (52.8 feet from the OHWL) than the existing structure. The applicant has not demonstrated that compliant reconstruction is infeasible. Therefore, strict enforcement of the ordinance does not prevent reasonable use of the property.

2. **Uniqueness**

The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a structure to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees that prevent the structure from being located in compliance.

Staff Analysis

The applicant has not demonstrated that physical characteristics of the land (such as topography, soils, or natural features) uniquely prevent compliance with the OHWL setback standard. Substandard lot size alone does not constitute a unique physical circumstance.

3. **Essential Character**

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about this variance for an encroachment into a setback from the OHWL, the focus is how the proposed structure might look closer to the lake, or from the perspective of the boating public, and if that fits in with the character of the area.

Staff Analysis

The proposed structure would be located closer to the OHWL than both the existing structure (61.3 feet) and the allowable averaged setback (58.9 feet), altering established setback patterns along the shoreline.

Additional Consideration

The request appears to be based on design preference rather than necessity. Economic or personal considerations alone do not constitute practical difficulties under Minnesota law.

Staff Recommendation

Having reviewed and considered the application, local ordinances, state statutes, and all comments received, staff finds that the applicant has not met the statutory criteria for practical difficulties, specifically:

- Reasonable use of the property is possible without the variance.
- No unique physical circumstances prevent compliance.
- The proposal encroaches further than both the existing structure and allowable averaged setback.

Therefore, based on the considerations outlined above, denial of the application is warranted.

However, the public hearing as well as the applicant may offer additional facts that are not yet evident for the Board of Adjustment to consider. If the Board of Adjustment chooses to approve the variance despite the above findings, Staff recommends that the following conditions be considered:

1. The proposed re-constructed residential structure (including all overhangs) shall not be located any closer than _____ feet from the ordinary high water level, consistent with the site plan submitted with the application.
2. A natural vegetation riparian buffer consisting of native trees, shrubs, low ground cover, and understory vegetation consistent with naturally vegetated shorelines in the area shall be installed and maintained within the shore impact zone of Lake Minnewaska, extending 37.5 feet landward from the ordinary high water level (OHWL). A viewing corridor not to exceed twenty-five (25) feet in width is permitted.
3. That prior to any construction activities, all necessary permits are secured from County and State agencies.
4. That County staff may enter onto the property at reasonable times and in a reasonable manner to ensure the variance holder is in compliance with the conditions and all other applicable statutes, rules and ordinances.

Staff Findings

The Staff proposes the following findings of fact for consideration by the Board of Adjustment:

1. **Variance request consistent with purposes and intent of the official controls and the comprehensive plan:**

   Findings: The Minnesota DNR Shoreland Rules Ch 6120 as well as the Pope County Land Use Controls Ordinance regulate the size and location of structures in shoreland designated areas. The purpose of the requirements is to preserve neighborhood character and aesthetics as well as for the protection of surface water resources and personal property.

   Allowing the re-construction of the structure to encroach into the OHWL setback, would be inconsistent with the purpose and intent of shoreland regulations, which are designed to protect water quality, prevent shoreland crowding, and maintain orderly development.

2. **Use of property/structure is a reasonable use:**

   Findings: The property can be reasonably used without the variance. The applicant has not demonstrated that compliant reconstruction is infeasible.

3. **Character of locality and detriment to neighboring properties:**

   Findings: The proposed setback would place the structure closer to the OHWL than surrounding development patterns, producing incremental shoreline encroachment, as well as contributing to adverse impacts on the public water basin.

4. **Plight of the landowner is due to circumstances unique to the property and not self-created:**

   Findings: The applicant has not demonstrated that the need for the variance is due to unique physical characteristics of the land. Substandard lot size alone does not meet this criterion.

Report Authors

Report has been prepared by Pope County Land & Resource Management staff with technical review by ChatGPT.

REPORT APPENDIX

- **Routing Sheet** *(Comments, concerns and conditions)*
- **Public Notice**
- **Supplemental Information**
  - **Attachment 1:** *Variance Application (Jeremy Long, 20 February 2026)*
  - **Attachment 2:** *Grading Plan (Rum River Land Surveyors & Engineers, 13 February 2026)*
  - **Attachment 3:** House Plans *(Howard Homes, Inc., 6 November 2025)*
  - **Attachment 4:** *Site Visit Photos (L&RM Staff, 16 March 2026)*
  - **Attachment 5:** *Shoreland & Floodplain Variance Guidance Series, OHWL Setbacks (MN DNR, 10 October 2012)*

Routing Sheet

Comments, Concerns and Conditions

Agency

MN DNR	No comments received.

County Department

Attorney	No comments received.
WCA Officer	*COMMENTS: I have no concerns from a WCA standpoint.*

Township

Minnewaska	No comments received.

Other Comments Received

No comments received.

Public Notice

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

POPE COUNTY BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING FOR
VARIANCE REQUEST

Notice is hereby given that a Public Hearing will take place in conjunction with the Board of Adjustment meeting to be held at 6:00 pm or shortly thereafter on Thursday, March 26th, 2026 in the Pope County Courthouse, 3rd Floor Board Room, to consider the following variance request.

Description of Request: Variance hearing on the application by Jeremy Long (VAR-26-005, Parcel#08-0279-000), if granted would allow applicants relief from the ordinary high water level (OHWL) setback standard in a Shoreland-General Development (S-GD) zoning district per section 4.2.4.A and 4.6.5.A.1 of the Pope County Land Use Controls Ordinance.

Legal Description/Site Location: Lot 2, Fosse's Subdivision of Government Lot 4, Section 20, Township 125 (Minnewaska), Range 38, Pope County, Minnesota.

Public participation will include an opportunity to:

1) submit written concerns and comment prior to the scheduled meeting. All such communications will be shared with the Board of Adjustment prior to or during the meeting;
2) submit concerns and comments via Pope County's Public Comment web map, go to https://www.popecountymn.gov, at the top of the page hover over Government, then under Board of Adjustment/Planning Advisory Commission, select Submit a Public Comment or type in the following link to access the Public Comment web map: (https://popecounty.maps.arcgis.com/apps/webappviewer/index.html?id=22a203912a864a77b4cdabe672e35e3f)
3) opportunity to review the staff prepared report via Pope County website;
4) observe and/or participate by providing verbal comments in the Public Hearing portion of the Board of Adjustment meeting.

Interested parties and citizens may contact the Land and Resource Management office for further information as to how to participate in the meeting. Thank you for your patience and consideration in this matter.

Dated: March 6, 2026
By: Jessica Hill, Zoning Administrator, Land & Resource Management

Supplemental Information

Supplemental Information Attachment 1:

Variance Application
(Jeremy Long, 20 February 2026)

POPE COUNTY
MINNESOTA

VARIANCE APPLICATION

L&RM FORM 18

S:\0. ADMIN\...Forms\Form 18 Variance Application\L&RM Form 18 Variance Application.doc

VARIANCE APPLICATION VAR-26-005

A variance allows a modification or variation of the provisions of the Pope County Land Use Controls Ordinance where it is determine hat, by reason of exceptional circumstances, the strict enforcement of any provision of the ordinance would cause the landowne practical difficulty" (see Practical Difficulty Test on the following page).

Variances from official zoning controls are defined under Minnesota Statute 394.27 and require the landowner to prove the propert ould not otherwise be used or enjoyed in the proposed way by complying with the Pope County Land Use Controls Ordinance an here will be no negative impact on surrounding properties.

Prior to submission of this application, please discuss your variance request with the Land and Resource Management department.

Applicant Information

Applicant Names: Jeremy Long

[redacted]

Property Description

Property Address: 20046 Sunnyview Dr	City: Glenwood	State: MN	Zip: 56334
Township Name: Minnewaska	Section: 20	Twp: 125	Range: 38
Parcel No.: 08-0279-000	Associated Parcel No.:		

Project Narrative

What is the variance application for? Lake Set Back

Provide written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized:

We are requesting a variance regarding lake set back requirements. The set backs required for the new structure will not change from the setbacks on the existing structure (to be torn down) that was purchased.

Pope County Land & Resource Manageme
130 East Minnesota Ave. | Glenwood, Minnesota 56334
Phone: (320) 634-7791 | Email: pub.lrm@popecountymn.go
Website: https://www.popecountymn.gov/land-resource-managemen

Practical Difficulty Test

variance may be granted if enforcement of the zoning ordinance as applied to a particular piece of property would cause th ndowner "practical difficulties." There is a three factor test for establishing practical difficulties. If the applicant does not satisfy a ree factors of the test, then the variance should not be granted.

1. Reasonableness

he first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowne ould like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean the e land cannot be put to any reasonable use whatsoever without the variance.

2. Uniqueness

he second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. Th niqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not persona haracteristics or preferences of the landowner.

3. Essential Character

he third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whethe e resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

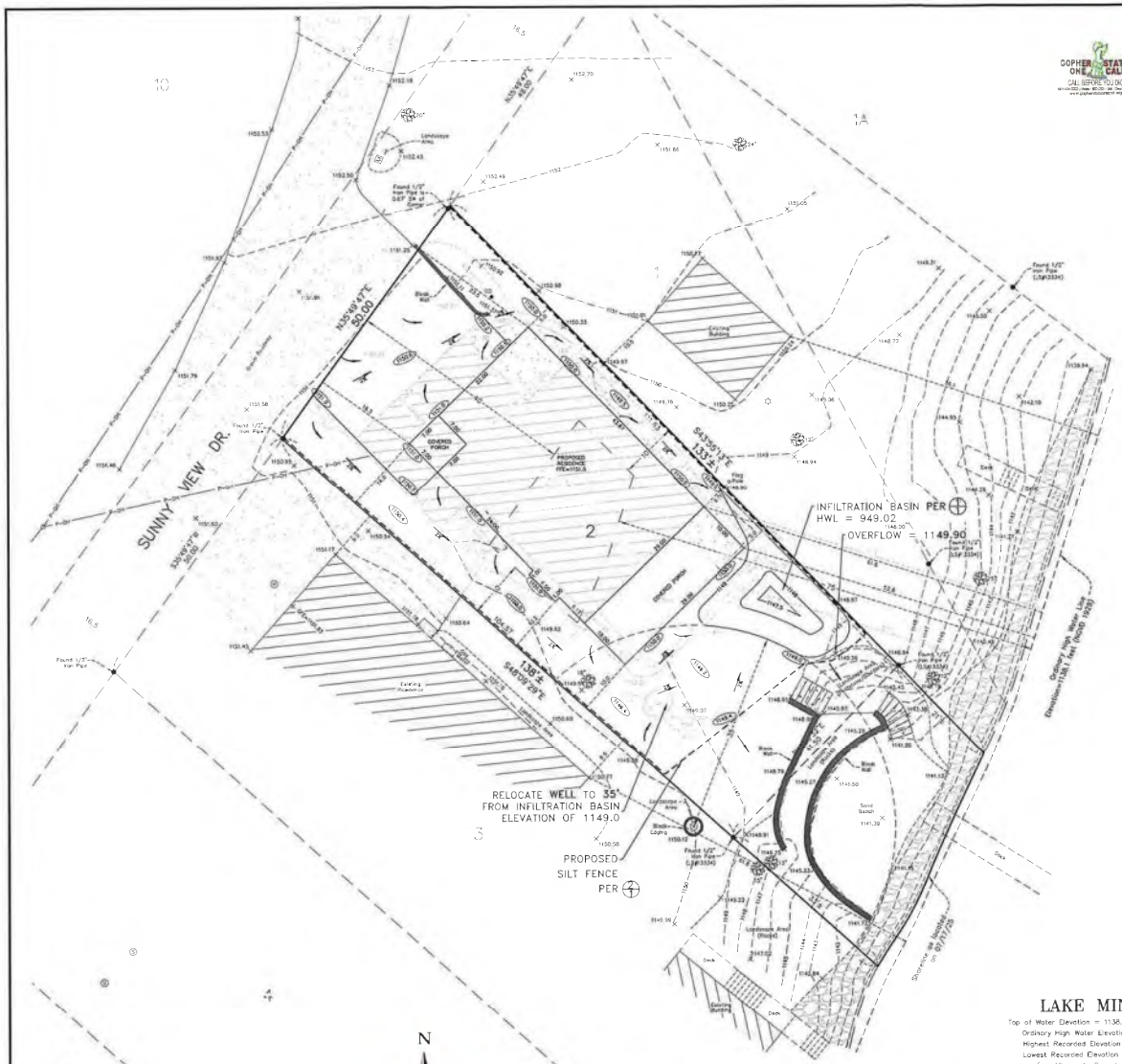
Questions	Yes/No
Does your project satisfy all three factors of the Practical Difficulty Test?	

Please state how your project satisfies all three factors in the space provided below:

Moving forward, the property will be used as it already has been. The new structure will require very similar set backs to what IS already there (to be torn down.) The requested set backs will align with the average setbacks of neighboring properties and will not impair the lake or neighboring properties.

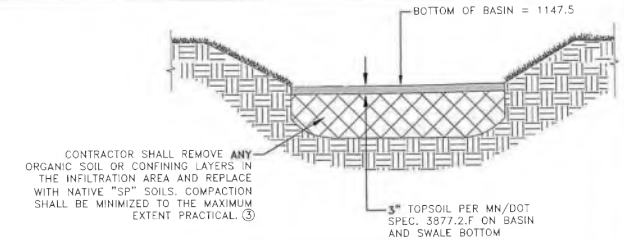
Supplemental Information Attachment 2:

Grading Plan
(Rum River Land Surveyors & Engineers, 13 February 2026)



LAKE MINNEWASKA

Top of Water Elevation = 1138.5 feet (NGVD 1929) on 07/17/25
Ordinary High Water Elevation = 1138.1 feet (NGVD 1929)
Highest Recorded Elevation = 1140.01 feet (08/12/2011)
Lowest Recorded Elevation = 1129.67 feet (05/29/1935)
(per Minnesota Department of Natural Resources)



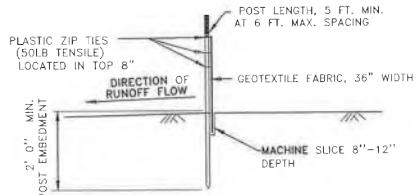
1/1 INFILTRATION BASIN ①②
NO SCALE

REFERENCE NOTES:

① CONTRACTOR SHALL PROTECT THE INFILTRATION AREAS PRIOR TO THE START OF CONSTRUCTION. CONSTRUCTION EQUIPMENT SHALL BE MINIMIZED OVER THE FOOTPRINT OF THE BASIN. ONLY LOW PRESSURE, WIDE TRACKED EQUIPMENT SHALL BE USED FOR CONSTRUCTION.

② INFILTRATION AREAS SHALL NOT BE GRADED TO WITHIN THREE FEET OF THE FINAL GRADE UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN CONSTRUCTED AND FULLY STABILIZED OR RIGOROUS EROSION PREVENTION AND SEDIMENT CONTROLS TO KEEP SEDIMENT AND RUNOFF COMPLETELY AWAY FROM THE INFILTRATION AREAS HAVE BEEN PROVIDED.

③ SOIL WITHIN THE INFILTRATION BASIN SHALL BE SCARIFIED TO A DEPTH OF 36" PRIOR TO RESTORATION.



2/1 SILT FENCE DETAILS
TO PROTECT AREAS FROM SHEET FLOW (SEE SPEC. 3886)

LEGEND

- ● = Denotes iron monument found
- 1149 = Denotes existing surface contour (1 foot interval)
- × 1150.0 = Denotes existing elevation
- = Denotes well
- = Denotes utility pole
- = Denotes overhead utility line
- = Denotes light pole
- = Denotes septic manhole
- = Denotes septic cleanout
- = Denotes mailbox
- = Denotes deciduous tree
- = Denotes Concrete Surface
- = Denotes Rip Rap
- = Denotes Gravel Surface
- = Denotes building setback line per Pope County Zoning Ordinance
- 1000.0 = Denotes proposed surface elevation
- = Denotes proposed drainage arrow

Project Benchmarks: Chiseled Square in right upstream abutment of outlet dam of Lake Minnewaska (per MnDNR) Elevation = 1139.23 feet (NGVD 1929)

MnDOT Control Monument No. 6103 D1 Elevation = 1155.21 feet (NGVD 1929)

DATE	REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

CRAIG J. JOCHUM, P.E.
Date 02/13/26 Lic. No. 23461

DESIGNED BY: SMM
DRAWN BY: SMM
CHECKED BY: CJJ
SCALE: HORIZ 1" = 10' VERT
BOOK
PAGE

RUM RIVER
LAND SURVEYORS + ENGINEERS
505 First Street, Princeton, MN 55371
O - 763.389.4476 RRLSE.com

GRADING PLAN
FOR
HOWARD HOMES INC.

DATE 02/13/26 FILE NO. P-3923.101

SHEET 1 OF 1 SHEETS

Supplemental Information Attachment 3:

House Plans
(Howard Homes, Inc., 6 November 2025)

Window Schedule

Mark	Level	From Room: Name	Type Mark	Family	Sill Height	Head Height	Manufacturer R.O.s		HH FINAL R.O.S	
							Rough Width	Rough Height	HH Rough Width	HH Rough Height
1	Basement	BR5	CW135	Andersen 400_CASEMENT	3' - 5 1/8"	**6' - 10"**	**2' - 4 7/8"**	3' - 5 3/8"	2' - 5 1/8"	3' - 6 1/8"
2	Basement	BR4	CW135	Andersen 400_CASEMENT	3' - 5 1/8"	**6' - 10"**	2' - 4 7/8"	3' - 5 3/8"	2' - 5 1/8"	3' - 6 1/8"
3	First Floor	MASTER BR	CW35	Andersen 400_CASEMENT_TRIPLE	3' - 0 1/8"	**8' - 0"**	7' - 1 1/8"	5' - 0 3/8"	7' - 1 3/8"	5' - 1 1/8"
4	First Floor	M. CLOSET	AR31 (S)	Andersen 400_AWNING_FIXED	**6' - 7"**	**8' - 0"**	3' - 0 1/2"	1' - 5 1/2"	3' - 0 3/4"	1' - 6 1/4"
5	First Floor	ENTRY	WDH 3046	Andersen 400_DOUBLE HUNG	3' - 3 1/8"	**8' - 0"**	3' - 2 1/8"	4' - 8 7/8"	3' - 2 3/8"	**4' - 9 5/8"**
6	First Floor	ENTRY	WDH 3046	Andersen 400_DOUBLE HUNG	3' - 3 1/8"	**8' - 0"**	3' - 2 1/8"	4' - 8 7/8"	3' - 2 3/8"	4' - 9 5/8"
7	First Floor	LIVING RM	WDH 3046	Andersen 400_DOUBLE HUNG	3' - 3 1/8"	**8' - 0"**	3' - 2 1/8"	**4' - 8 7/8"**	3' - 2 3/8"	**4' - 9 5/8"**
8	First Floor	LIVING RM	WDH 3046	Andersen 400_DOUBLE HUNG	3' - 3 1/8"	**8' - 0"**	3' - 2 1/8"	4' - 8 7/8"	3' - 2 3/8"	4' - 9 5/8"
9	First Floor	LIVING RM	WDH 3046	Andersen 400_DOUBLE HUNG	3' - 3 1/8"	**8' - 0"**	3' - 2 1/8"	**4' - 8 7/8"**	3' - 2 3/8"	**4' - 9 5/8"**
10	First Floor	KITCHEN	C345	Andersen 400_CASEMENT_TRIPLE	3' - 7 1/8"	**8' - 0"**	6' - 0 3/8"	4' - 5 3/8"	6' - 0 5/8"	4' - 6 1/8"
11	First Floor	M. BATH	CW145	Andersen 400_CASEMENT	3' - 7 1/8"	**8' - 0"**	**2' - 4 7/8"**	4' - 5 3/8"	2' - 5 1/8"	**4' - 6 1/8"**
12A	First Floor	MASTER BR	A251 (S)	Andersen 400_AWNING_FIXED	5' - 11 7/8"	**8' - 0"**	2' - 4 7/8"	2' - 0 5/8"	2' - 5 1/8"	2' - 1 3/8"
12B	First Floor	MASTER BR	A251 (S)	Andersen 400_AWNING_FIXED	5' - 11 7/8"	**8' - 0"**	2' - 4 7/8"	**2' - 0 5/8"**	2' - 5 1/8"	2' - 1 3/8"
12C	First Floor	MASTER BR	A251 (S)	Andersen 400_AWNING_FIXED	5' - 11 7/8"	**8' - 0"**	2' - 4 7/8"	2' - 0 5/8"	2' - 5 1/8"	2' - 1 3/8"
13	Second Floor	BR3	CW24	Andersen 400_CASEMENT_DOUBLE	**2' - 10"**	**6' - 10"**	**4' - 9"**	4' - 0 1/2"	4' - 9 1/4"	4' - 1 1/4"
14	Second Floor	LINEN	AR31 (S)	Andersen 400_AWNING_FIXED	**5' - 5"**	**6' - 10"**	3' - 0 1/2"	1' - 5 1/2"	3' - 0 3/4"	1' - 6 1/4"
15	Second Floor	LOFT	AR31 (S)	Andersen 400_AWNING_FIXED	**5' - 5"**	**6' - 10"**	3' - 0 1/2"	1' - 5 1/2"	3' - 0 3/4"	1' - 6 1/4"
16	Top of Plate FF	GREAT RM VAULT	TRAP	Andersen 400_FIXED_TRAPEZOIDAL	0' - 2 3/8"	6' - 2 3/8"				
17A	Second Floor	GREAT RM VAULT	TRAP	Andersen 400_FIXED_TRAPEZOIDAL	2' - 9 5/8"	10' - 1 5/8"				
17B	Top of Plate FF	GREAT RM VAULT	P4040	Andersen 400_FIXED CASEMENT	0' - 2 3/8"	4' - 2 3/8"	4' - 0 1/2"	4' - 0 1/2"	4' - 0 3/4"	4' - 1 1/4"
18A	Second Floor	GREAT RM VAULT	TRAP	Andersen 400_FIXED_TRAPEZOIDAL	**2' - 9 5/8"**	10' - 1 5/8"				
18B	Top of Plate FF	GREAT RM VAULT	P4040	Andersen 400_FIXED CASEMENT	0' - 2 3/8"	4' - 2 3/8"	4' - 0 1/2"	4' - 0 1/2"	4' - 0 3/4"	4' - 1 1/4"
19	Top of Plate FF	GREAT RM VAULT	TRAP	Andersen 400_FIXED_TRAPEZOIDAL	0' - 2 3/8"	6' - 2 3/8"				
20	Second Floor	FULL BATH	CW14	Andersen 400_CASEMENT	**2' - 10"**	**6' - 10"**	2' - 4 7/8"	4' - 0 1/2"	2' - 5 1/8"	4' - 1 1/4"
21	Second Floor	BR2	CW34	Andersen 400_CASEMENT_TRIPLE	**2' - 10"**	**6' - 10"**	7' - 1 1/8"	**4' - 0 1/2"**	7' - 1 3/8"	4' - 1 1/4"

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LONG - LAKE HOME
Jeremy & Sam Long
20046 Sunny View Drive
Glenwood, MN 56334

CURRENT REVISION DATE:

HISTORY

No	Date

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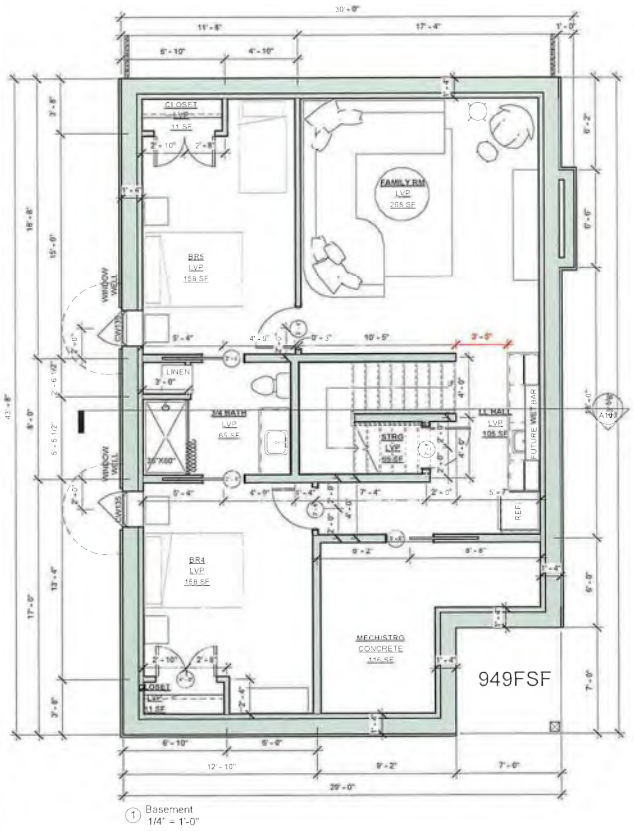
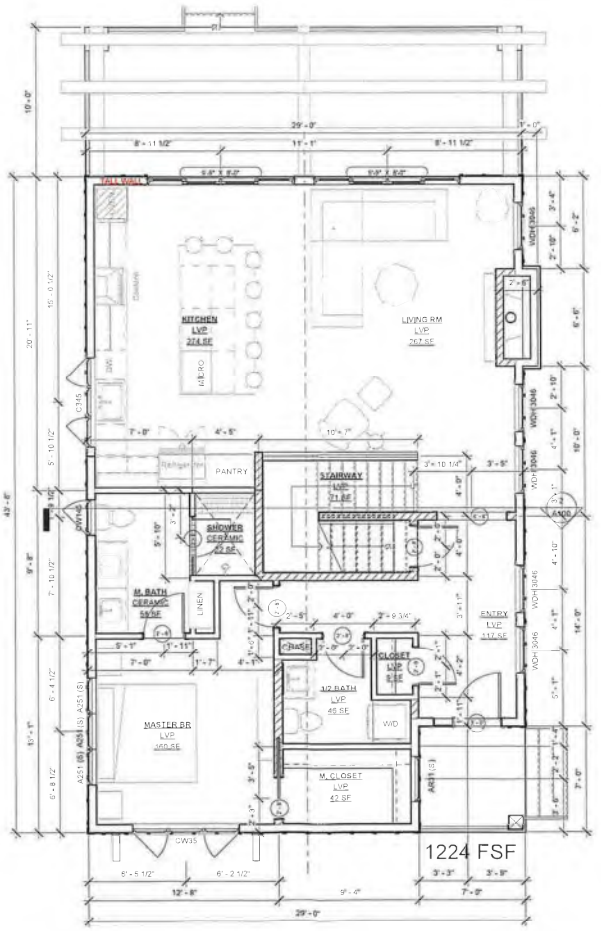
SHEET NO.
0000
COVER SHEET



1 Basement
1/4" = 1'-0"



2 First Floor
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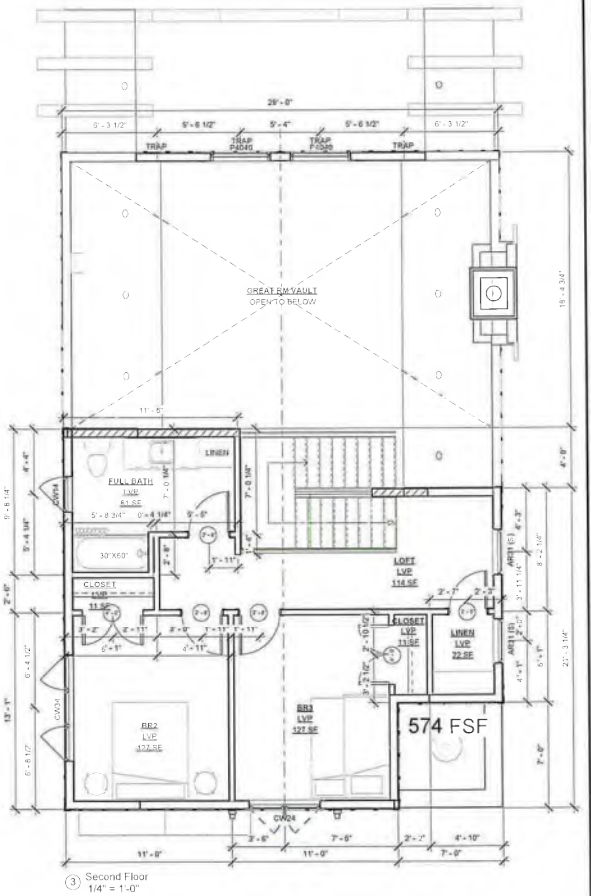

3 Second Floor
1/4" = 1'-0"

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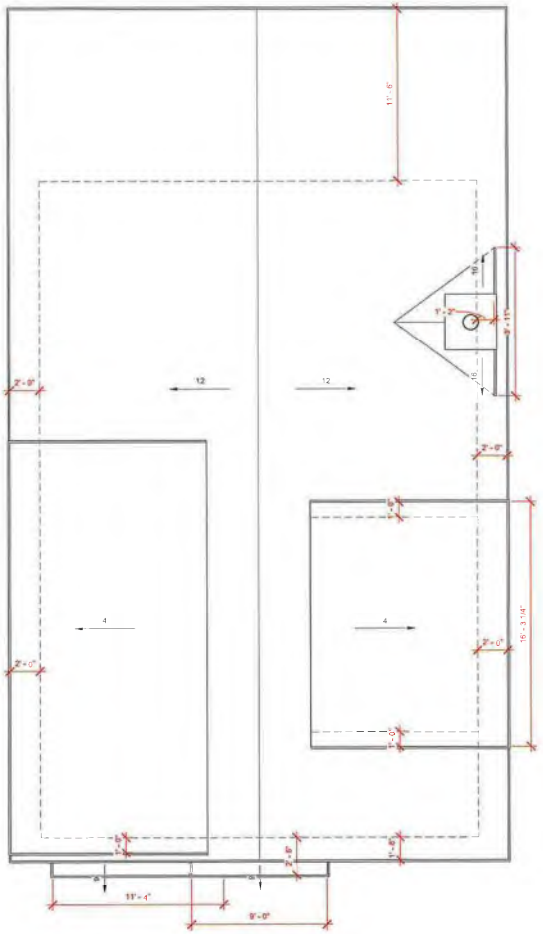
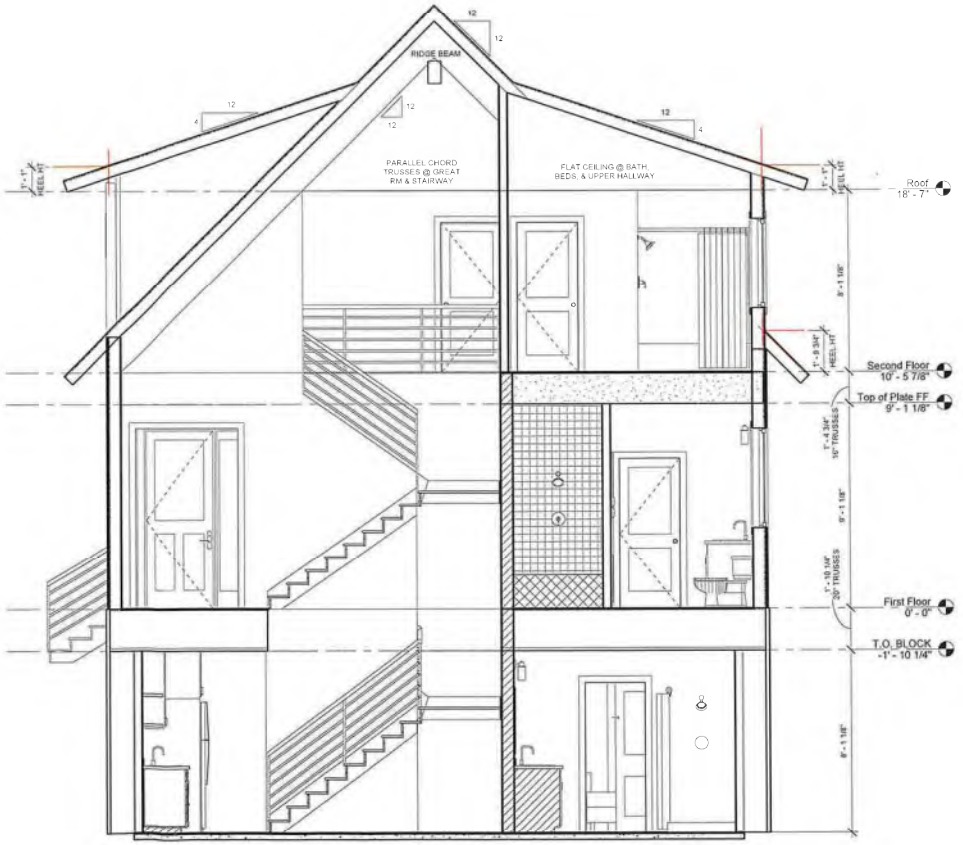
SHEET NO.
A001
FLOOR PLANS



① Roof Plan
1/4" = 1'-0"



② Section 1
3/8" = 1'-0"

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No.	Date

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SHEET NO.
A100
ROOF PLAN

1 BACK
1/4" = 1'-0"

3 LEFT
1/4" = 1'-0"

2 FRONT
1/4" = 1'-0"

4 RIGHT
1/4" = 1'-0"

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DATE

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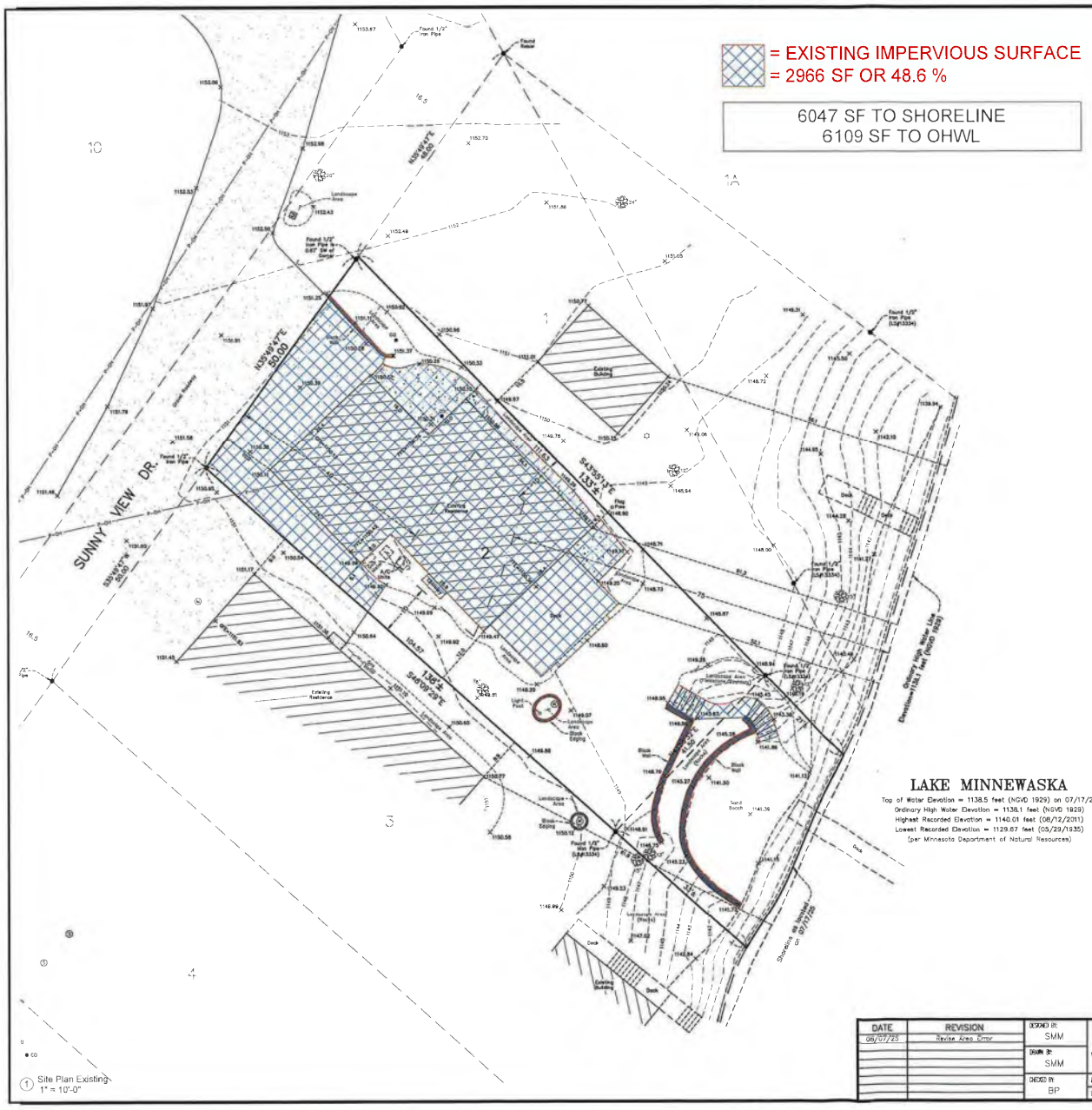
SHEET NO.
A200
EXTERIOR ELEVATIONS



DESCRIPTION OF PROPERTY SURVEYED:
(PID NO. 08-0279-000 – (PER DOC. NO. 289377)

Lot 2, Fosse's Subdivision; according to the recorded plat thereof on file and of record in the office of the Pope County Recorder.

NOTES:

1. In providing this survey no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned.
2. The professional surveyor has made no investigation or independent search for easements of record, encumbrance, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
3. Area of property is 6,047 Sq.Ft.± or 0.14 Acres± to shoreline.
4. Bearings are based on Pope County Coordinate System.
5. Address of the surveyed property is 20048 Sunny View Drive, Glenwood, MN, 56334.
6. This survey is based on a certificate of survey prepared by Engelmeyer Surveying P.A. dated April 3, 2003 and a certificate of survey prepared by Ron Engelmeyer Surveying dated May 19, 1994.
7. A "permission to access property" over Lot 3, Fosse's Subdivision was granted to the subject property per Doc. No. 222734 to access the subject property for repairs, maintenance, and construction, etc.
8. Project Benchmarks: Chiseled Square in right upstream abutment of outlet dam of Lake Minnewaska (per MnDNR)
   Elevation = 1139.23 feet (NGVD 1929)
   MnDOT Control Monument No. 6103 01
   Elevation = 1155.21 feet (NGVD 1929)

N

SCALE IN FEET: 10 0 10 20

LEGEND

- ● = Denotes iron monument found
- – –1149– – = Denotes existing surface contour (1 foot interval)
- •1150.0 = Denotes existing elevation
- ⊗ = Denotes well
- ⌀ = Denotes utility pole
- — P — OH — = Denotes overhead utility line
- ☼ = Denotes light pole
- Ⓢ = Denotes septic manhole
- CO = Denotes septic cleanout
- ▣ = Denotes mailbox
- = Denotes deciduous tree
- = Denotes Concrete Surface
- = Denotes Rip Rap
- = Denotes Gravel Surface
- = Denotes building setback line per Pope County Zoning Ordinance

I hereby certify that this site plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.

Brian Person, MN License No. 49138 — 08/06/25 Date

DATE	REVISION
08/07/25	Revise Area Error

DESIGNED BY: SMM
DRAWN BY: SMM
CHECKED BY: BP
SCALE HORZ. 1" = 10' VERT.
BOOK
PAGE

RUM RIVER LAND SURVEYORS + ENGINEERS
505 First Street, Princeton, MN 55371
O - 763.389.4476 RRLSE.com

CERTIFICATE OF SURVEY FOR HOWARD HOMES INC.
DATE 08/06/25 FILE NO. P-3923.101
SHEET 1 OF 1 SHEETS

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Jeremy & Sam Long
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Glenwood, MN 56334

CURRENT REVISION DATE:

HISTORY	
No.	Date

ISSUE DATE
DATE:
DESIGNED BY: Designer
APPROVED BY: Approver
DRAWN BY: Author

SHEET NO. C100
SITE PLAN EXISTING

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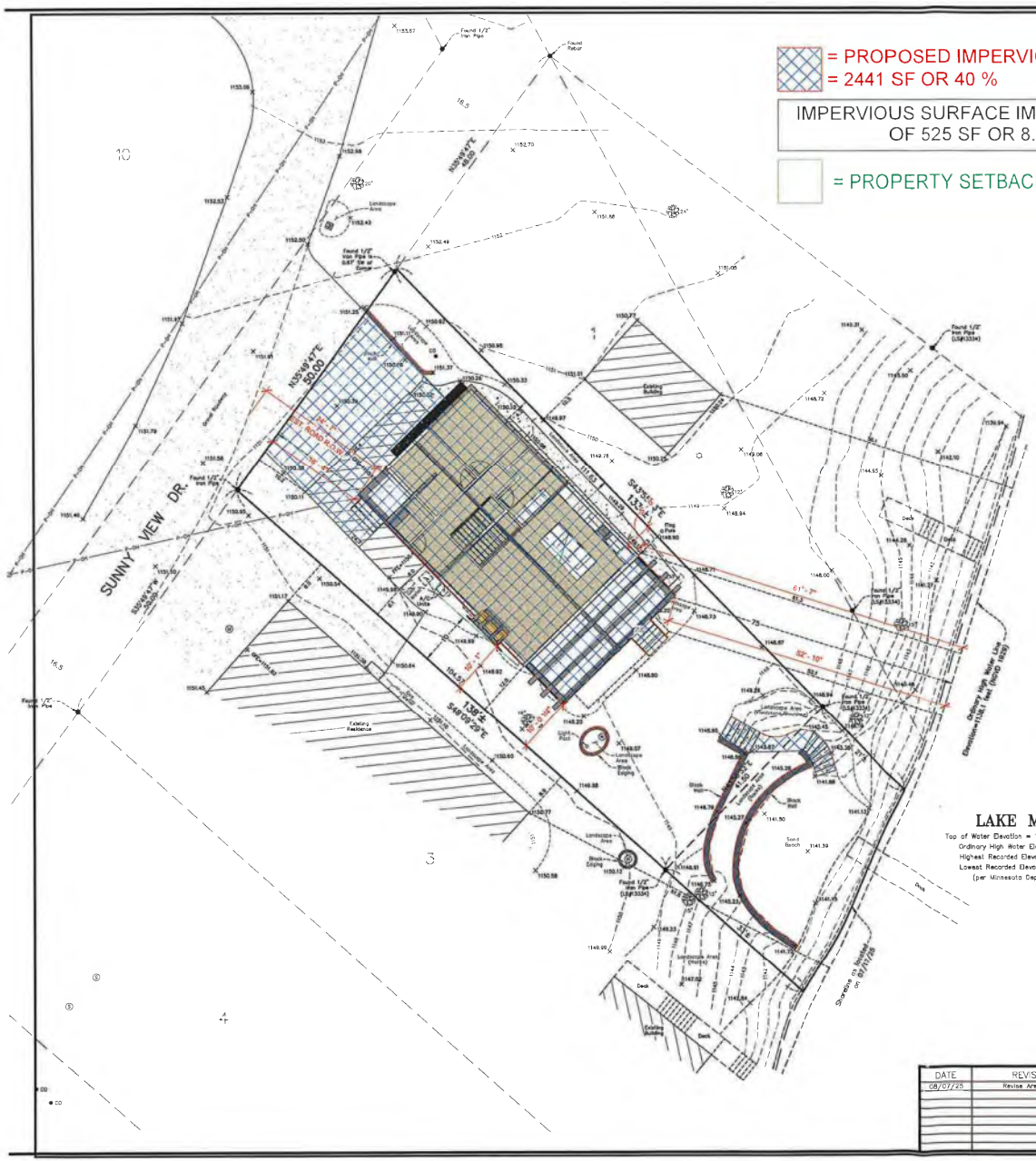

DESCRIPTION OF PROPERTY SURVEYED:
(PID NO. 08-0279-000 – (PER DOC. NO. 289377)

Lot 2, Fosse's Subdivision; according to the recorded plat thereof on file and of record in the office of the Pope County Recorder.

NOTES:

1. In providing this survey no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned.
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   Elevation = 1139.23 feet (NGVD 1929)
   MnDOT Control Monument No. 6103 D1
   Elevation = 1155.21 feet (NGVD 1929)

N

SCALE 10 0 10 20 IN FEET

LEGEND

- = Denotes iron monument found
- = Denotes existing surface contour (1 foot interval)
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- = Denotes utility pole
- = Denotes overhead utility line
- = Denotes light pole
- = Denotes septic manhole
- = Denotes septic cleanout
- = Denotes mailbox
- = Denotes deciduous tree
- = Denotes Concrete Surface
- = Denotes Rip Rap
- = Denotes Gravel Surface
- = Denotes building setback line per Pope County Zoning Ordinance

I hereby certify that this site plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.

Brian Person, MN License No. 49138 — 08/06/25 Date

DATE	REVISION
08/07/25	Revise Area Error

DESIGNED BY: SMM
DRAWN BY: SMM
CHECKED BY: BP
SCALE: HORZ. 1" = 10' VERT
BOOK
PAGE

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505 First Street, Princeton, MN 55371
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CERTIFICATE OF SURVEY FOR HOWARD HOMES INC.

DATE 08/06/25 FILE NO. P-3923.101

SHEET 1 OF 1 SHEETS

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Jeremy & Sam Long
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Glenwood, MN 56334

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No.	Date

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DATE:
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SHEET NO: C101
SITE PLAN NEW

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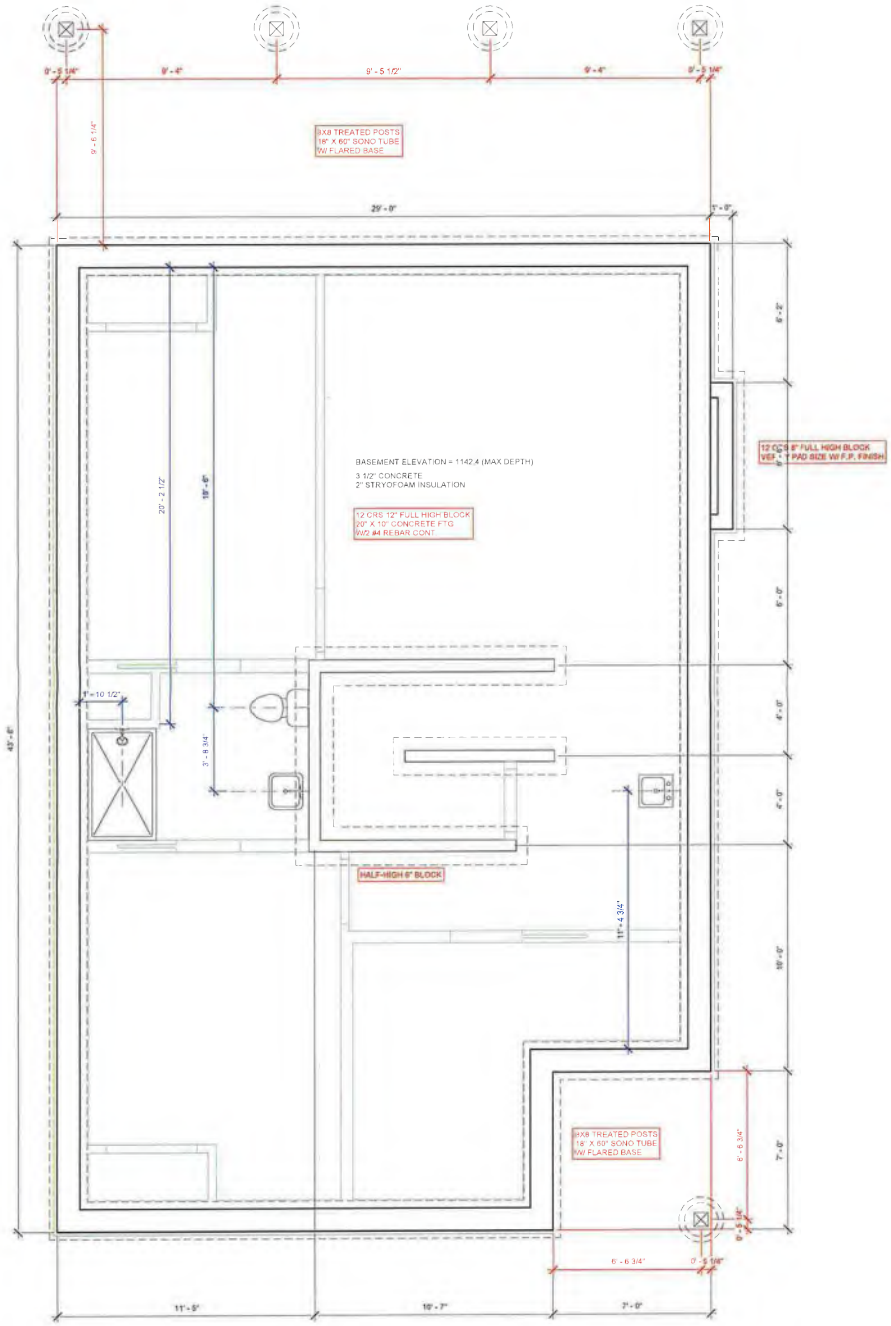
1 Site Plan



1 Foundation
3/8" = 1'-0"

SHEET NO.
S100
FOUNDATION PLAN

DATE:
ISSUE DATE:
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DRAWN BY: Author

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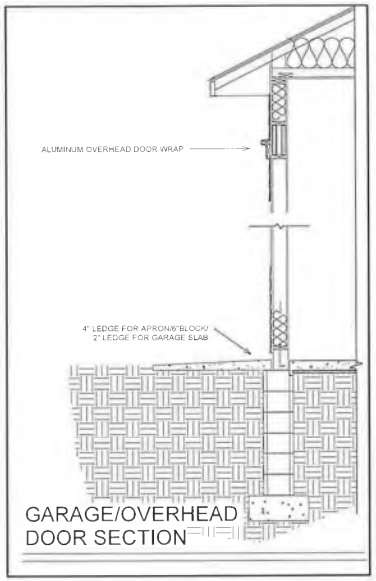
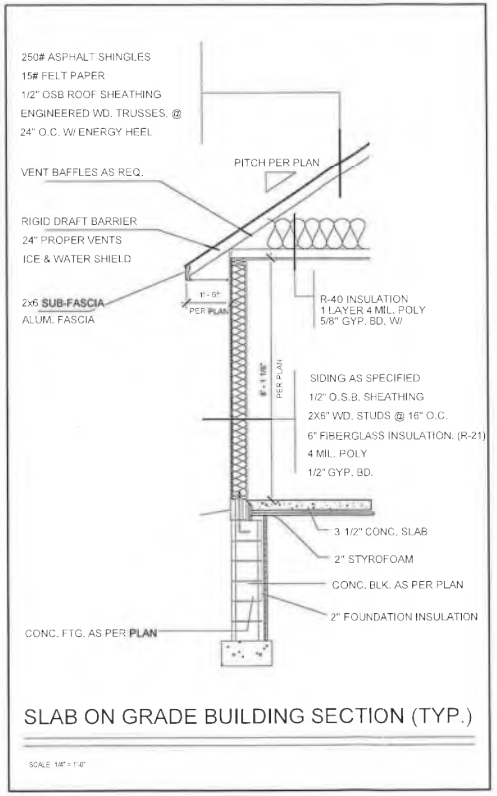


② Generic Section_Garage-Overhead Door Detail
1/2" = 1'-0"



④ Generic Section_Slab on Grade Detail
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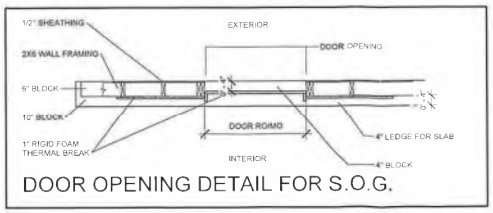
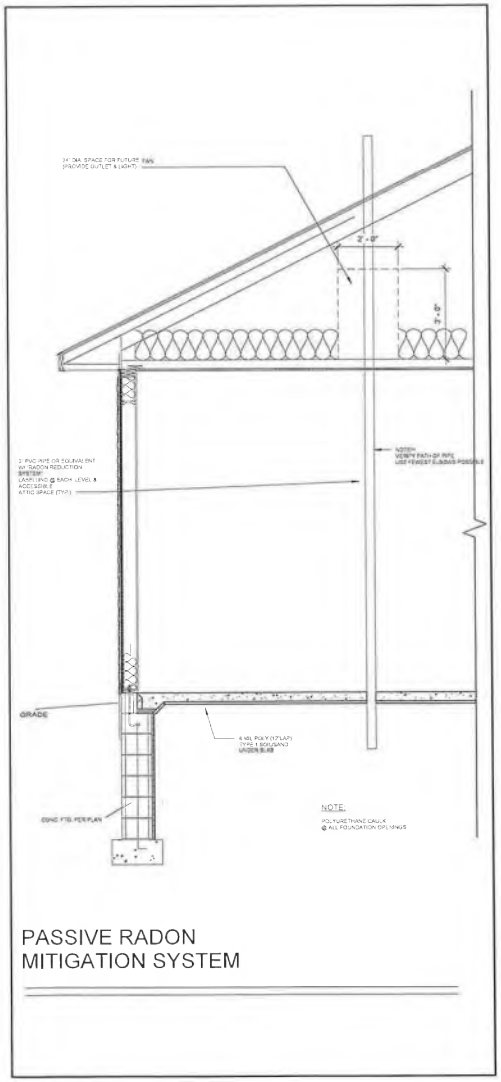


① Generic Section_Door Opening Detail for S.O.G.
1/2" = 1'-0"



③ Generic Section_Passive Radon Detail
1/2" = 1'-0"

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Glenwood, MN 56334

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No.	Date

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DATE:
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APPROVED BY: Approver
DRAWN BY: Author

SHEET NO:
S200
GENERIC SECTIONS & DETAILS

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Supplemental Information Attachment 4:

Site Visit Photos
(L&RM Staff, 16 March 2026)

20046
20046

Supplemental Information Attachment 5:

Shoreland & Floodplain Variance Guidance Series, OHWL Setbacks
(MN DNR, 10 October 2012)

Minnesota
DEPARTMENT OF NATURAL RESOURCES

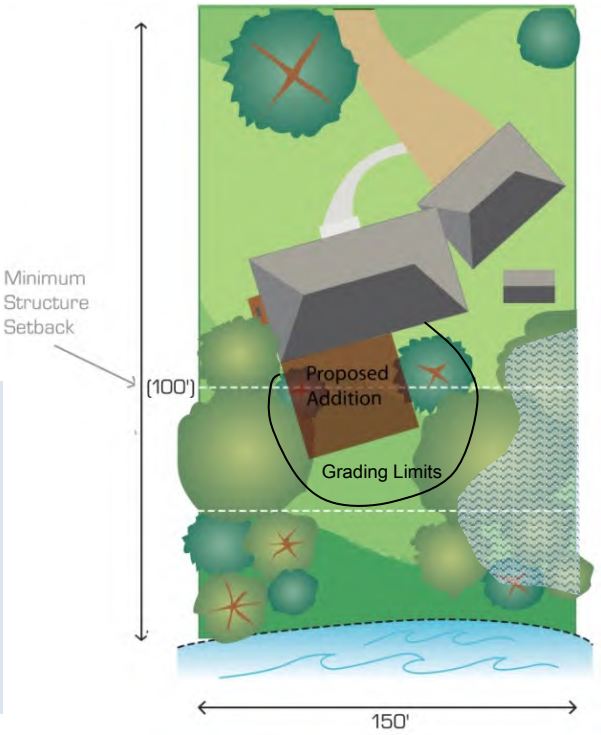
Shoreland & Floodplain *Variance Guidance Series*

OHWL Setbacks

This is one of a series of examples developed as guidance for considering variance requests along lakes and rivers. Consult your local shoreland, floodplain, and river-related ordinances.

Why are setbacks from the OHWL important?

The Ordinary High Water Level (OHWL) is a dynamic area of high biodiversity and ecological function, as well as the regulatory line that separates local land use and state public waters jurisdictions. Setbacks from the OHWL are established in statewide rules and administered through local ordinances to ensure adequate spacing between structures and public waters to protect against runoff and pollution, and to preserve the natural shoreline. Local governments have limited discretion to deviate from - or grant a variance to - a required setback. They may do so only if *all* of the variance criteria established in state statutes and their local ordinances are met. In evaluating such requests, local governments must examine the facts, determine whether all statutory and local criteria are satisfied, and develop findings to support the decision. If granted, local governments may impose conditions to protect resources. An example OHWL variance request, with considerations, is provided below.



Example OHWL Setback Variance Request

A property owner requests a variance to construct a 1000 square foot addition on an existing home on a lake. The proposed addition would be located 75 feet from the OHWL of the lake instead of 100 feet as required by the local shoreland ordinance. The property owner claims that the addition is needed to provide extra space for a growing family, that it will improve the value and appearance of the property, and that there is no other reasonable location on the property due to the design of the home and an adjacent wetland.

Considerations for Findings

A good record and findings help keep communities out of lawsuits and help them prevail if they find themselves in one. In evaluating the facts and developing findings for this variance request, *all* of the following statutory criteria must be satisfied, in addition to any local criteria:

- **Is the variance *in harmony with the purposes and intent of the ordinance*?**
  Considering a variance request is a balancing test that requires weighing the need of an individual property owner against the purposes of the local shoreland regulations - in this case a setback from the OHWL - for protecting public waters. Statewide Shoreland Management Rules establish structure setbacks from the OHWL for several reasons, including but not limited to managing the effects of shoreland crowding, preventing pollution of surface water, and maintaining property values and natural characteristics of shorelands. These regulations are implemented through local ordinances.
  Considerations: *What are the purposes of the OHWL setback as established in the local shoreland ordinance – what is it intended to prevent or protect? Will deviating from the required OHWL setback on this property undermine the purposes and intent? Why or why not?*

- **Is the variance *consistent with the comprehensive plan*?**
  The local comprehensive plan establishes a framework for achieving a community's vision for the future. Most plans contain goals and policies for protecting natural resources and shorelands, as well as maps that identify areas of high risk or with high ecological value where development should be avoided. The variance request must be considered with these goals and policies in mind. Maps should be consulted to determine if the property is within any areas identified for protection.
  Considerations: *Which goals and policies apply? Is allowing structural encroachment within the OHWL setback area on this property consistent with these goals and policies? Why or why not?*

- **Are there *unique circumstances* to the property not created by the landowner?**
  Unique circumstances relate to physical characteristics of the land such as lot dimensions, steep slopes, poor soils, wetlands, and trees that prevent compliance with the required setback. These *do not* include physical limitations created by the property owner or personal circumstances such as a growing family or design preferences. Consider what distinguishes this property from other shoreland properties to justify why the applicant should be allowed to deviate from the required setback when others must comply. ***Considerations:*** *What physical characteristics are unique to this property that prevent compliance with the setback requirement? Were any difficulties in meeting the setback created by some action of the applicant? Has the applicant demonstrated no other feasible alternatives exist that would not require a variance?*
- **Will the variance, if granted, alter the *essential character* of the locality?**
  Consider the size of the proposed structure, the extent of encroachment, and how it relates to the shoreline and hydrology of the riparian area. A large addition and associated grading close to the shoreline can detract from the natural appearance and character of the lake and its riparian areas and degrade water quality by altering topography, drainage, and vegetation in the riparian area, negatively affecting recreational, natural, and economic values. ***Considerations:*** *Does the variance provide minimal relief or a substantial deviation from the required setback? Does it affect the natural appearance of the shore from the lake? Does it affect the hydrology of the area?*
- **Does the proposal put property to use in a *reasonable manner*?**
  Examine the reasons that the variance is requested and evaluate them in light of the purposes of the local shoreland ordinance and the public water resource at stake. The OHWL setback is generally intended to keep development away from the water's edge and to maintain the natural characteristics and function of the shoreline. As such, development within the setback area should only be considered when no other alternatives exist, particularly if the public water at stake is impaired or at risk of becoming impaired. ***Considerations:*** *Has the applicant demonstrated that the proposed addition is reasonable in this location given the sensitivity of the riparian area, any known water quality impairments, and the purposes of the setback regulations? How or how not?*

Note: *The last three criteria address practical difficulties. Economic considerations alone cannot create practical difficulties.*

Range of Outcomes

Based on the findings, several outcomes can occur:

- If the applicant fails to prove that *all* criteria above are met, then the variance must be denied. For example, the local government may find the proposed size and design of the addition creates the circumstances necessitating a variance rather than unique physical characteristics of the property.
- If the applicant demonstrates that *all* criteria are met, then the variance may be granted. For example, the local government may find that the circumstances are unique given the adjacent wetland, that the encroachment of the addition within the setback is reasonable given its orientation, that it won't alter the hydrology and natural characteristics of the riparian area, and that there would be no other impacts.
- If the variance is granted and the addition in any way affects the setback area or public water, then conditions may be imposed to mitigate the impacts. For example, the local government may find that the addition increases the home's visibility from the water and that the associated grading alters the hydrology of the area, and impose conditions such as reducing the size of the addition, decreasing the amount of grading involved, requiring tree protection measures, and requiring rain gardens to infiltrate additional runoff.

Conditions on Variances

If findings support granting the variance, consideration must be given to the impacts on the lake or river and the riparian area, and appropriate conditions to mitigate them. Conditions must be directly related and roughly proportional to the impacts created by the variance. Examples are provided below:

- Additional impervious coverage within the setback area – require a smaller addition, rain garden, riparian buffer, or other method to reduce and/or infiltrate additional runoff before entering the lake;
- Increased crowding and visibility of structures from the lake – require the planting of native trees, shrubs, and grasses to reduce the visibility of the structure and maintain natural characteristics; and/or
- Reduced natural characteristics and habitat – require protection of existing trees during construction and/or restoration of an equivalent area within the setback to native vegetation to maintain the natural characteristics and ecological functions of the riparian area (which also treats stormwater).

More information at: www.dnr.state.mn.us/waters/watermgmt_section/shoreland/variances.html