Planning Advisory Commission
September 24, 2026
CUP-26-009

POPECOUNTY MINNESOTA

S:\3. BOA-PAC\2026\9. 24 September 2026\6. PAC - 5 Items\3. 02-0566-000 Ludwig-Maier CUP-26-009\3. Staff Report\PAC.V.B.3. Ludwig-Maier CUP-26-009 Staff Report.docx

STAFF REPORT

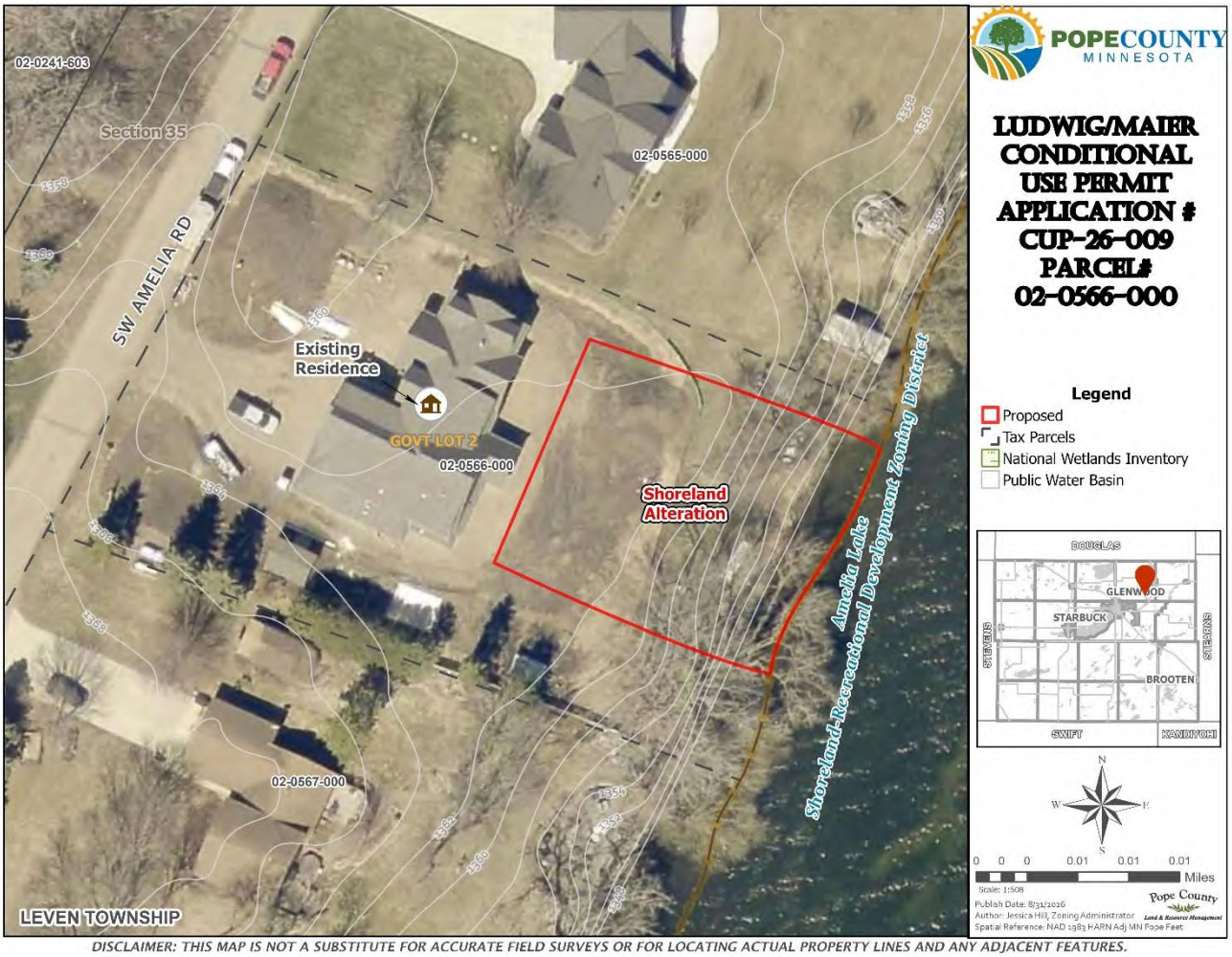
Applicant Information

Applicant: Leroy Ludwig on behalf of Loren & Renee Maier

Application: Conditional Use Permit (CUP-26-009)

Zoning: Shoreland-Recreational Development (S-RD)

Location: Lot 18 of West Shores, Section 35, Township 126 (Leven), Range 37, 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

Request *(as stated by applicant)*

The applicant, Leroy Ludwig of Nature's View Landscaping, Inc., on behalf of Loren and Renee Maier, requests a Conditional Use Permit to conduct shoreland alterations associated with residential landscaping and regrading on Parcel 02-0566-000, located on Lake Amelia.

The proposed project includes:

- Regrading the backyard between the residence and Lake Amelia to establish a more gradual and continuous slope to the shoreline;
- Removal of approximately 175 cubic yards of material from the backyard;
- Installation of approximately 1,750 square feet of paving stones around the residence;
- Installation of an approximately 200–215 square foot paver patio with seating wall near the lake;
- Installation of a 10-foot by 20-foot sand beach area along the shoreline; and
- Associated walkways, landscaping, stabilization, and erosion and sediment control measures.

The proposed lakeside patio would be located approximately 15 feet from the ordinary high water level according to the application materials, while the project narrative states the pavers would remain at least 10 feet from the OHWL. The lakeside patio and other proposed improvements shall be located in compliance with all applicable shoreland setbacks and performance standards and shall obtain any separately required permits or approvals before commencement of any work not already completed and, for work already completed without required permits, through the applicable after-the-fact permitting and compliance process.

Justification of the Proposal *(as stated by applicant)*

The applicant indicates the project is intended to improve drainage, reduce erosion, protect the residence from stormwater runoff, and provide safer pedestrian access between the residence and Lake Amelia. The proposed paving stones are intended to provide stable walking and sitting surfaces while reducing erosion adjacent to the residence. The backyard regrading is intended to establish a gradual slope to the shoreline while minimizing disturbance and maintaining or improving existing drainage patterns.

The applicant proposes approximately a nine-foot elevation change over 80 feet, resulting in an approximate 9:1 finished slope.

Permitting History *(relevant)*

- **1994 – Administrator's Permit for Shoreland Alteration, Permit No. 94-14:** Approval to move under 50 cubic yards of earth while cleaning up lot of brush and debris.
- **2019 – Land Use Permit No. 19047:** Approval to locate a 12 ft by 16 ft storage shed onsite.
- **2025 – Land Use Permit No. LUP-25-110:** Approval to construct a 45 ft by 86.5 ft structure with a 41 ft by 28 ft attached garage.

Site Review

Slopes:

- Existing steep slopes are present within portions of the project area.
- County GIS and LiDAR information identifies existing slopes ranging approximately 26% to 30% over a 50-foot horizontal distance.
- Bluffs are not identified.
- The applicant proposes regrading the backyard to establish an approximately 9:1 finished slope from the residence toward the shoreline.
- The NRCS Web Soil Survey identifies the mapped soil unit as Arvilla sandy loam, 2 to 6 percent slopes; however, this map-unit designation is generalized soil-survey information and does not represent the site-specific slopes identified through County GIS/LiDAR review.

Soils:

- EvB – Arvilla sandy loam.
- Fragile Soil Index: Highly Fragile.
- Lawns Rating: Somewhat Limited.
- These characteristics reinforce the importance of erosion control, timely stabilization, and maintaining permanent vegetation following completion of grading.

Vegetation:

- At the time of the site visit, the area immediately landward of the existing slope and between the slope and the residence had been completely devegetated. Vegetative cover remained within portions of the property closer to the shoreline. The applicant's Erosion and Sediment Control Plan provides that vegetation outside the limits of disturbance will remain undisturbed and protected during construction. Because portions of the proposed project occur within the shore impact zone and on steep slopes, vegetation preservation and restoration within these areas are subject to the vegetation-management standards of Section 4.6.10.C and D. The final site plan shall identify the limits of the shoreline access corridor and those portions of the shore impact zone and steep slopes that will be maintained or restored in permanent natural vegetation.

Floodplain:

- No floodplain-related impacts have been identified as part of the proposed project based upon staff review of the submitted materials.

Applicable Statutes

Local Ordinance

- Pope County Land Use Controls Ordinance
  - Section 4.6.10 Shoreland Alterations *(performance standards)*
    - Establishes performance standards applicable to grading, filling, excavation, vegetation alteration, and other shoreland alterations.
  - Section 4.6.17 – Water-Oriented Accessory Structures
    - Applicable to the proposed lakeside patio to the extent it constitutes a water-oriented accessory structure.
  - Section 11.5 Conditional & Interim Use Permits *(criteria and procedures)*
    - Establishes the procedures and required findings for consideration of a Conditional Use Permit.

State Statute/Rule

- Minnesota Statutes Chapter 394. Planning, Development, Zoning *(enabling legislation)*
- Minnesota Administrative Rules Chapter 6120, Shoreland and Floodplain Management

- Minnesota Administrative Rules Chapter 6120, Part 6120.3300 Zoning Provisions
  - Subpart 4 Shoreland Alterations

Staff Comments

The applicant proposes a comprehensive residential landscaping and shoreland alteration project involving paving, substantial excavation and regrading, shoreline access improvements, a lakeside patio, and a sand beach. The primary component requiring Conditional Use Permit review is the proposed removal of approximately 175 cubic yards of material within the shoreland area, including work within the shore impact zone. The existing public notice describes the CUP as a request to conduct shoreland alterations greater than 50 cubic yards within the shore impact zone pursuant to Section 4.6.10.A.

The existing backyard contains a relatively pronounced slope toward Lake Amelia. The USDA-NRCS Web Soil Survey identifies approximately 98.1% of the mapped Area of Interest as EvB – Arvilla sandy loam, 2 to 6 percent slopes. The NRCS soil-map slope designation is generalized mapping and does not supersede the site-specific topographic information obtained through County GIS/LiDAR review, which identifies portions of the project area with slopes of approximately 26% to 30%.

The applicant proposes to regrade this area to approximately a 9:1 slope, with the stated purposes of improving drainage, reducing erosion, protecting the residence from stormwater runoff, and providing safer access between the residence and shoreline. The project narrative indicates that approximately 175 cubic yards of material will be removed, with existing topsoil set aside during excavation and replaced following grading.

Due to the project's proximity to Lake Amelia, the amount of soil disturbance proposed, the existing site topography, and the presence of previously devegetated areas, erosion and sediment control are significant considerations. The applicant has submitted both an Erosion and Sediment Control Plan (ESCP) and Stormwater Pollution Prevention Plan (SWPPP). The plans include perimeter sediment controls, compost logs/fiber rolls, temporary and permanent stabilization, erosion control blankets where necessary, shoreline protection measures, inspection requirements, and final stabilization standards. The ESCP specifically provides that excavated soil will not be pushed into the lake, equipment will remain landward of the OHWL whenever possible, and construction must cease if sediment enters Lake Amelia until corrective measures are implemented.

The ESCP further requires BMP inspections before construction, at least every seven days, and within 24 hours following rainfall events of 0.5 inch or greater. Temporary BMPs are to remain in place until final stabilization has been achieved. These measures provide a reasonable framework for minimizing sediment discharge and erosion during construction, provided the plans are implemented and maintained throughout the project.

The WCA Officer expressed concerns regarding shoreland habitat protection and identified potential sedimentation into Lake Amelia as the concern applicable from a WCA standpoint. The WCA Officer recommended normal conditions relating to erosion prevention. No concerns were identified by the County Recorder, and no other agency or public comments were received as of preparation of the staff report.

Staff finds that the proposed grading can be accommodated through the Conditional Use Permit process subject to the recommended conditions of approval, including submission and County approval of a professionally prepared site plan containing a grading and erosion control plan prior to issuance of the required Shoreland Alteration Permit. The proposed finished slope is substantially more gradual than portions of the existing terrain, and the applicant has submitted preliminary erosion, sediment-control, stabilization, and shoreline-protection measures. The professionally prepared grading and erosion control plan required as a condition of approval will provide the final site-specific grading and erosion-control design prior to issuance of the Shoreland Alteration Permit. Compliance with these measures and the conditions of approval is necessary to minimize the potential for erosion, sedimentation, and adverse impacts to Lake Amelia.

Section 4.6.10.C and D also establish vegetation-management standards applicable within shore impact zones and steep slopes. Because portions of the project area have previously been devegetated, the professionally prepared site plan required as a condition of approval shall identify the areas subject to these standards, including the shoreline access corridor and areas to be maintained or restored in permanent natural vegetation. Except for the permitted shoreline access area and other improvements specifically allowed by the Ordinance, areas within the shore impact zone and steep slopes shall be managed to preserve or reestablish natural vegetative cover, minimize erosion and runoff, and provide vegetative screening from Lake Amelia.

The Conditional Use Permit would authorize only the shoreland alteration and grading activities depicted in the approved project materials and authorized by the conditions of approval. Approval of the CUP does not independently authorize any patio, beach, water-oriented accessory structure, impervious surface, vegetation alteration, or other improvement that requires a separate County, Township, DNR, MPCA, or other governmental approval.

Staff Recommendation

Having reviewed the application, landscape plan, project narrative, Erosion and Sediment Control Plan, Stormwater Pollution Prevention Plan, USDA-NRCS Web Soil Survey, site conditions, applicable ordinance provisions, and comments received, staff recommends approval of Conditional Use Permit CUP-26-009 to conduct the proposed shoreland grading and excavation, substantially as represented in the submitted application materials and as further defined by the professionally prepared site plan required as a condition of approval, subject to the following conditions:

1. Prior to issuance of the required Shoreland Alteration Permit, a professionally prepared site plan, including a grading and erosion control plan, shall be submitted to and approved by the Pope County Land and Resource Management Department in accordance with Sections 10.24.3.A and 10.24.3.B of the Pope County Land Use Controls Ordinance. The plan shall identify the shore impact zone, steep slopes, limits of disturbance, the permitted shoreline access corridor, and areas to be preserved or restored in permanent natural vegetation in accordance with Sections 4.6.10.C and D.

2. All work completed without required permits shall be brought into compliance with the Pope County Land Use Controls Ordinance. This includes, but is not limited to, the patios and landscaping constructed around the residence and site grading conducted more than 30 feet from the residence. All required after-the-fact permits or other required approvals shall be obtained. Applicable after-the-fact permit fees shall be assessed, and any applicable contractor penalty for work performed without the required permits shall be assessed in accordance with the Pope County Land Use Controls Ordinance and adopted fee schedule.

3. The project shall substantially conform to the submitted application, Landscape Plan dated July 16, 2026, Project Narrative, Erosion and Sediment Control Plan, Stormwater Pollution Prevention Plan, the professionally prepared site plan and grading and erosion control plan required by Condition 1, and any modifications required by these conditions of approval. Where a condition of this approval conflicts with the submitted project materials, the condition of approval shall control. Where the professionally prepared plan required by Condition 1 conflicts with the preliminary grading, erosion-control, drainage, or stabilization measures contained in the submitted project materials, the professionally prepared plan approved by the Land & Resource Management Department shall control.

4. All grading, filling, excavation, vegetation alteration, and restoration shall comply with the applicable performance standards of Section 4.6.10 of the Pope County Land Use Controls Ordinance, including the vegetation-management standards of Section 4.6.10.C and D applicable to shore impact zones and steep slopes. Vegetation removal and alteration within these areas shall be limited to that permitted by the Ordinance and depicted on the approved site plan, including the shoreline access corridor required to be identified under Condition 1.

5. Excavation and removal of material from the site shall be limited to no more than 175 cubic yards, as represented in the submitted project narrative. Any modification or expansion of the approved grading area or excavation volume shall be subject to review by the Land & Resource Management Department and shall obtain any additional approval required under the Pope County Land Use Controls Ordinance.

6. Prior to commencement or resumption of any earth-disturbing activity authorized by this CUP, all erosion and sediment control BMPs identified in the approved ESCP, SWPPP, and professionally prepared grading and erosion control plan required by Condition 1 shall be properly installed. BMPs shall be inspected and maintained throughout construction in accordance with the approved ESCP, SWPPP, and professionally prepared grading and erosion control plan and shall remain in place until final stabilization has been achieved.

7. No excavated material, sediment, construction debris, or other pollutants shall be discharged into Lake Amelia. If sediment enters the lake, work shall immediately cease until appropriate corrective measures have been implemented.

8. Existing vegetation outside the approved limits of disturbance shall be maintained and protected. All disturbed and devegetated areas not occupied by an approved structure or improvement shall be stabilized and established with permanent vegetation in accordance with the approved ESCP, SWPPP, and the professionally prepared grading and erosion control plan required by Condition 1 following completion of grading. Within the shore impact zone and on steep slopes, areas outside of the permitted shoreline access corridor and other improvements specifically authorized by the Pope County Land Use Controls Ordinance shall be maintained or restored in permanent natural vegetation and managed in a no-mow condition to improve or preserve the natural complex of vegetation, stabilize soils, reduce runoff and erosion, and provide vegetative screening from Lake Amelia. The shoreline access corridor shall not exceed 25 feet in width and shall be identified on the approved site plan.

9. The proposed 10-foot by 20-foot sand beach shall comply with all applicable Pope County and Minnesota Department of Natural Resources requirements. This Conditional Use Permit does not authorize placement of sand below the ordinary high water level. Any activity below the ordinary high water level shall obtain any required authorization from the Minnesota Department of Natural Resources or other agency having jurisdiction before the activity occurs.

10. The proposed lakeside patio, paving stones, walkways, seating wall, and other structures or impervious surfaces shall comply with applicable shoreland setbacks, impervious surface standards, water-oriented accessory structure standards, and all other applicable provisions of the Pope County Land Use Controls Ordinance. This Conditional Use Permit does not constitute separate authorization for any improvement requiring an additional land use permit, variance, or other approval. Any separately required approval shall be obtained prior to commencement of the applicable improvement or, for improvements already completed without required approval, by completing the applicable after-the-fact permitting and compliance process.

11. Existing drainage patterns shall be maintained or modified only in a manner that ensures the completed project does not direct concentrated runoff or sediment toward Lake Amelia or adjoining properties.

12. The applicants are responsible for obtaining all required Township, County, State, or Federal permits or approvals before commencement of any remaining applicable work and for obtaining any required after-the-fact approvals for work already completed.

13. Pope County Land & Resource Management staff shall be permitted reasonable access to the property for purposes of inspecting the project for compliance with the approved plans and conditions of the Conditional Use Permit.

Staff Findings

Staff offers the following findings supporting the recommendation for approval, subject to the recommended conditions of approval:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: Subject to the recommended conditions of approval, including County approval of the professionally prepared grading and erosion control plan required prior to issuance of the Shoreland Alteration Permit and the requirement that work previously completed without required permits be brought into compliance, the proposed shoreland grading and excavation can comply with the applicable provisions of the Pope County Land Use Controls Ordinance. The Conditional Use Permit authorizes the proposed shoreland grading and excavation. Individual improvements associated with the project remain subject to applicable setbacks, impervious surface limitations, water-oriented accessory structure requirements, and any separately required permits or variances. Approval of this CUP does not authorize a deviation from any otherwise applicable ordinance standard or constitute approval of work previously completed without required permits.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The proposed project, when completed in accordance with the approved erosion-control, stabilization, restoration, and vegetation-management measures, is not in conflict with the County Comprehensive Land Use Plan. The conditions of approval are intended to minimize potential impacts to Lake Amelia and surrounding natural resources by requiring erosion control, stabilization, and preservation or restoration of natural vegetation within sensitive shoreland areas.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: The proposed project is residential in nature and is associated with an existing residential use. With compliance with the approved project plans and recommended conditions of approval, including erosion, sediment-control, drainage, stabilization, and vegetation-management requirements, the grading and landscaping are not expected to substantially interfere with neighboring properties or surrounding residential uses. No information has been submitted or identified in the record indicating that the proposed residential shoreland alteration would substantially diminish or impair neighborhood property values.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: The proposed residential shoreland alteration will not generate additional demand on public facilities or utilities beyond that normally associated with the existing residential property.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

   Finding: The proposed improvements consist of residential landscaping, grading, and associated shoreland alterations. The project includes restoration and permanent vegetation following grading. Compliance with the approved landscape plan, professionally prepared grading and erosion control plan, stabilization requirements, and required preservation or restoration of natural vegetation within the shore impact zone and steep slopes is intended to minimize potential adverse visual impacts and maintain vegetative screening from Lake Amelia.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

   Finding: The completed residential landscaping project is not expected to generate additional operational traffic. Construction-related traffic will be temporary, and no information in the record indicates that the temporary construction traffic will create a traffic hazard or congestion.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: No impacts to existing businesses are anticipated from the proposed residential shoreland alteration. Construction-related noise and equipment activity will be temporary, and the completed residential landscaping project is not expected to generate noise, glare, odor, or similar impacts that would adversely affect nearby businesses or curtail customer trade.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: The proposed project consists of improvements to an existing residential lot and is not expected to impede the normal and orderly development or continued residential use of surrounding properties.

9. That adequate utilities, drainage and other necessary facilities have been or are being provided:

Finding: The project does not create additional utility demand. The submitted plans include proposed measures addressing drainage, erosion control, sediment control, and stabilization. The applicant states that existing drainage patterns will be maintained or improved. As a condition of approval, a professionally prepared site plan, including a grading and erosion control plan, must be submitted to and approved by the Land & Resource Management Department prior to issuance of the Shoreland Alteration Permit. The recommended conditions further require that concentrated runoff and sediment not be directed toward Lake Amelia or adjoining properties and that disturbed areas be stabilized and applicable portions of the shore impact zone and steep slopes be maintained or restored in permanent natural vegetation.

10. That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:

Finding: Subject to compliance with the conditions of approval, the applicant has submitted an ESCP and SWPPP containing proposed BMPs for sediment control, shoreline protection, stabilization, inspection, maintenance, spill prevention, and final stabilization. A professionally prepared grading and erosion control plan is additionally required by Condition 1 prior to issuance of the Shoreland Alteration Permit. The SWPPP specifically calls for silt fence, biologs, erosion-control blankets, immediate seeding following final grading, regular inspections, and repair and maintenance of BMPs. The ESCP requires final stabilization and approximately 70 percent uniform permanent vegetative cover or equivalent stabilization before temporary BMPs are removed. The conditions of approval additionally require preservation or restoration of permanent natural vegetation within the shore impact zone and steep slopes, except within the permitted shoreline access corridor and other improvements authorized by the Ordinance. These requirements are intended to provide longer-term soil stabilization, runoff reduction, and shoreline protection following completion of construction. Construction-related noise, dust, and equipment activity will be temporary in nature, and the proposed residential landscaping and shoreland alteration project is not anticipated to generate ongoing odor, fumes, vibration, lighting, or similar nuisance impacts.

REPORT APPENDIX

- **Routing Sheet** *(Comments, concerns and conditions)*
- **Public Notice**
- **Supplemental Information**
  - **Attachment 1:** *Conditional Use Permit Application (Leroy Ludwig, 29 July 2026)*
  - **Attachment 2:** *Landscape Plan (Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)*
  - **Attachment 3:** *Narrative (Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)*
  - **Attachment 4:** *Erosion and Sediment Control Plan (ESCP) (Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)*
  - **Attachment 5:** *Stormwater Pollution Prevention Plan (SWPPP) (Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)*
  - **Attachment 6:** *Site Visit Photos (L&RM Staff, 14 September 2026)*

Routing Sheet

Comments, Concerns and Conditions

Agency

MN DNR	No comment received.
SWCD-Pope	No comment received.

County Department

Attorney	No comment received.
LUS II	*COMMENTS: Similar to the intent of the checks and balances associated with septic systems or maybe the language related to "expansions of nonconformities", my only recommendation would be to include language to address bringing a potentially noncompliant shoreline into compliance in terms of vegetative management. Something requiring maintaining all areas outside of a 25ft access area and within steep slopes/shore impact zones in a "no-mow" condition managed to improve/preserve the natural complex of native vegetation and provide vegetative screening.* *Referring to the language in 4.6.10 c, d. I think spelling that out and maybe having them identify these types of areas on the site plan could be effective to ensure compliance with that section referenced in Condition #4 and 8.*
Recorder	*COMMENTS: I don't see any issues with the proposals from the Recorder's Office perspective.*
WCA Officer	*COMMENTS: I have major concerns about this proposal with regard to shoreland habitat protection. However, from a WCA standpoint, the only concern I can register is with regard to potential sedimentation into Lake Amelia.*

PROPOSED CONDITIONS: Normal conditions relating to erosion prevention

Township

Leven	No comment received.

Other Comments Received

No comment received.

Public Notice

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

POPE COUNTY PLANNING ADVISORY COMMISSION
NOTICE OF PUBLIC HEARING FOR
CONDITIONAL USE REQUEST

Notice is hereby given that a Public Hearing will take place in conjunction with the Planning Advisory Commission meeting to be held at 6:00 pm or shortly thereafter on Thursday, September 24th, 2026 in the Pope County Courthouse to consider the following conditional use request.

Description of Request: Conditional Use hearing for an application by Leroy Ludwig on behalf of Loren & Renee Maier (CUP-26-009, Parcel#02-0566-000) to conduct shoreland alterations greater than 50 cubic yards in the shore impact zone of Lake Amelia, in a Shoreland-Recreational Development (S-RD) zoning district per section 4.6.10.A of the Pope County Land Use Controls Ordinance.

Legal Description/Site Location: Lot 18 of West Shores, Section 35, Township 126 (Leven), Range 37, 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 Planning Advisory Commission prior to or during the meeting;
2) submit concerns and comments via Pope County's Public Comment web map (https://popecounty.maps.arcgis.com/apps/webappviewer/index.html?id=22a203912a864a77b4cdabe672e35e3f)
3) review the staff prepared report via Pope County website;
4) observe and/or participate in the proceedings of the Planning Advisory Commission meeting.

Interested parties and citizens may contact the Land and Resource Management office for further information as to how to participate in the meeting. ***Notices of Decision*** *will be posted* ***online*** *shortly after decision making at the following Pope County webpage:*

- *https://www.popecountymn.gov/land-resource-management/boa-pac-notices-of-decision/*

Thank you for your patience and consideration in this matter.

Dated: September 4, 2026
By: Jessica Hill, Zoning Administrator, Land & Resource Management

Supplemental Information

Supplemental Information Attachment 1:

Conditional Use Permit Application
(Leroy Ludwig, 29 July 2026)

POPECOUNTY MINNESOTA

CONDITIONAL/INTERIM USE PERMIT APPLICATION

L&RM FORM 17

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CONDITIONAL /INTERIM USE PERMIT APPLICATION

A conditional or interim use is permitted within a zoning district only when allowed by the County Board of Commissioners or their legally designated agent after public hearing provided certain conditions are met which eliminate or minimize the incompatibility with other permitted uses of the district. A Conditional Use or Interim Use permit may be denied if the use is deemed incompatible with other permitted uses of the district.

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

Applicant Information

Applicant Names	Leroy Ludwig
[redacted]	

Property Description

Property Address	15402 SW Amelia Rd	City	Glenwood	State	MN	Zip	56334
Township Name	Leven	Section	35	Twp	126	Range	37
Parcel No.	02-0566-000	Associated Parcel No.					

Project Narrative

What is the conditional / interim use permit application for?	Installing paving stones and removing more than 50CY in the shore impact zone

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

We are looking to add a paving stone sidewalk on the front and side of the house. We are also looking to remove more than 50 CY in the shore impact zone to create a gradual slope from the house to the lake to make access to the lake easier.

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

APPLICATION REQUIREMENTS

The following application requirements must be provided:	Description
1. The applicant for a Conditional or Interim Use Permit shall file an application in the office of the Administrator and pay a fee according to the fee schedule resolution of County Board of Commissioners.	***Two separate checks (made out to Pope County) must be provided:*** 1. ***Application Fee = $500*** 2. ***Recording Fee = $46***
2. Written description of the proposed activities, including:	Installing paving stone patios and walkways, as well as removing more than 50 CY in the shore impact zone
a. Type of business or activity (including scope of operations);	Installing paving stones and regrading the area from the house to the lake
b. Proposed number of employees;	3
c. Days and hours of operation;	Monday thru Friday, 8am to 5pm
d. Equipment and vehicles to be used for the activity;	Skid loader, backhoe, dump truck
e. Proposed floor plan of any structure or use indicated;	Attached
f. Sanitary sewer and water plan with estimated use per day;	Rented toilet onsite, no other water or sewer used
g. Any maintenance to take place on-site, including how hazardous materials and solid waste will be stored and disposed of; and	No maintenance or hazardous materials onsite.
h. Proposed exterior lighting, signage and storage.	None
3. Site plan (completed by a licensed land surveyor if applicable*) including, but not limited to: a. Property lines; b. Existing topography; c. Existing and proposed development (including roads, driveways, structures, septic components, wells, etc.); d. Distance from water body, road, property lines, septic components (tank and drainfield), well, neighboring feedlots, etc.; e. Finished grading and drainage plan; f. Existing and proposed screening; and g. Other requirements as deemed appropriate by the Administrator.	***Please provide on the Site Plan page of this application or attach to this application upon submittal.*** ***Please Note:** Applicants for Conditional Use Permit and Variance shall be required to submit a land surveyor's plot plan showing exact lot boundary and location of existing and proposed development as a part of application. Surveyor stakes shall be in place for site inspection of lot boundary and proposed development. Above policy shall be applicable for development on all lots of one acre or smaller. (ADOPTED 4 September 1985) (Land Use Controls Ordinance Section 11.6.2.H)*
4. Any additional information required by the Administrator.	

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

POPE COUNTY MINNESOTA

Planning application

Land & Resource Management
130 East Minnesota Avenue
Glenwood, MN 56334
(320) 634-7791

For use by Principal Authority
Cloudpermit application number US-MN121-P-2026-55
PIN 020566000
Application submitted to Pope County MN, Minnesota

Description of Subject Property	
Address 15402 SOUTHWEST AMELIA RD	
Municipality Pope County MN, Minnesota	
PIN 020566000	Legal description LOT 18

Purpose of Application
Application type Conditional Use Permit — New — Residential

Applicant		
Last name Ludwig	First name Leroy	Corporation or partnership Nature's View Landscaping, Inc.
Street address P O Box 369	Unit number	Lot / Con.
Municipality Waite Park	State Minnesota	ZIP code 56387
Other phone +1 3202498958	Mobile phone +1 3202559664	
Fax	Email lludwig@naturesviewlandscaping.com	

Property owner		
Last name MAIER/RENEE I/TRUST	First name	Corporation or partnership
Street address LOREN & RENEE MAIER,TRUSTEES	Unit number	Lot / Con.
Municipality	State	ZIP code

Other phone	Mobile phone
Fax	Email

Declaration and Signatures

Applicant

• I hereby certify that I have examined this application and acknowledge the information submitted to be true.

• I have submitted a complete site plan.

• I acknowledge this variance application does not constitute a building permit, septic system permit or the like. Separate permits will have to be applied for and obtained prior to any construction activities.

• I acknowledge the granting of this variance does not exempt the permittee from having to secure other permits from other state, federal or local units of government which may have jurisdiction over portions of the authorized project.

***PLEASE NOTE: Fees will be assigned by the County once the application has been submitted. Once fees are assigned, payment can then be made by the applicant. ***

Digitally signed on 07/29/2026, 5:46:16 AM CDT by Leroy Ludwig.

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

Permit Information	
What is the conditional / interim use permit application for? Paver patios onsite along with removal 50 + CY soil within 100 ft of the OHWL	Provide written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized: We are looking to install a paving stone sidewalks and patios, as well as remove 50+ yds of soil from with the 100 ft setback of the OHWL and add a small sand beach. One paver sidewalk will go from the driveway to the front door of the house. Another paver sidewalk will go from the driveway to the back of the house. One patio will be placed outside the master suite. Another patio will be installed outside the living room patio door. All of this would be farther away than the 100 ft setback from the OHWL. Within the 100 ft setback, there would be a short 4-foot sidewalk that would go from one patio to another on the back of the house. There would also be a round 200 sq ft patio with a sitting wall and 2 columns roughly 15 feet from the OHWL. Also, a 10ft by 20 ft sand beach would be installed at the edge of Lake Amelia.

Written description of the proposed activities, including:		
Type of business or activity (including scope of operations) Walkways and patios to walk or rest on, beach to have children play in next to the lake		
Proposed number of employees	Days and hours of operation	
Equipment and vehicles to be used for the activity Lawn mower	Any maintenance to take place on-site, including how hazardous materials and solid waste will be stored and disposed of No	Proposed exterior lighting, signage and storage None

Submittal Attachments Required	
Additional Submittal Requirements ☑ Site Plan ☐ Sanitary sewer and water plan with estimated use per day ☐ Proposed floor plan of any structure or use indicated	Site plan (completed by a licensed land surveyor if applicable*) including, but not limited to: a. North arrow; b. Property lines; c. Existing topography; d. Existing and proposed development (including roads, driveways, structures, septic components, wells, etc.); e. Distance from water body, road, property lines, septic components (tank and drainfield), well, neighboring feedlots, etc.; f. Finished grading and drainage plan; g. Existing and proposed screening; and h. Other requirements as deemed appropriate by the Administrator.

SITE PLAN REQUIREMENTS

Additional information about Site Plan Requirements is available here .

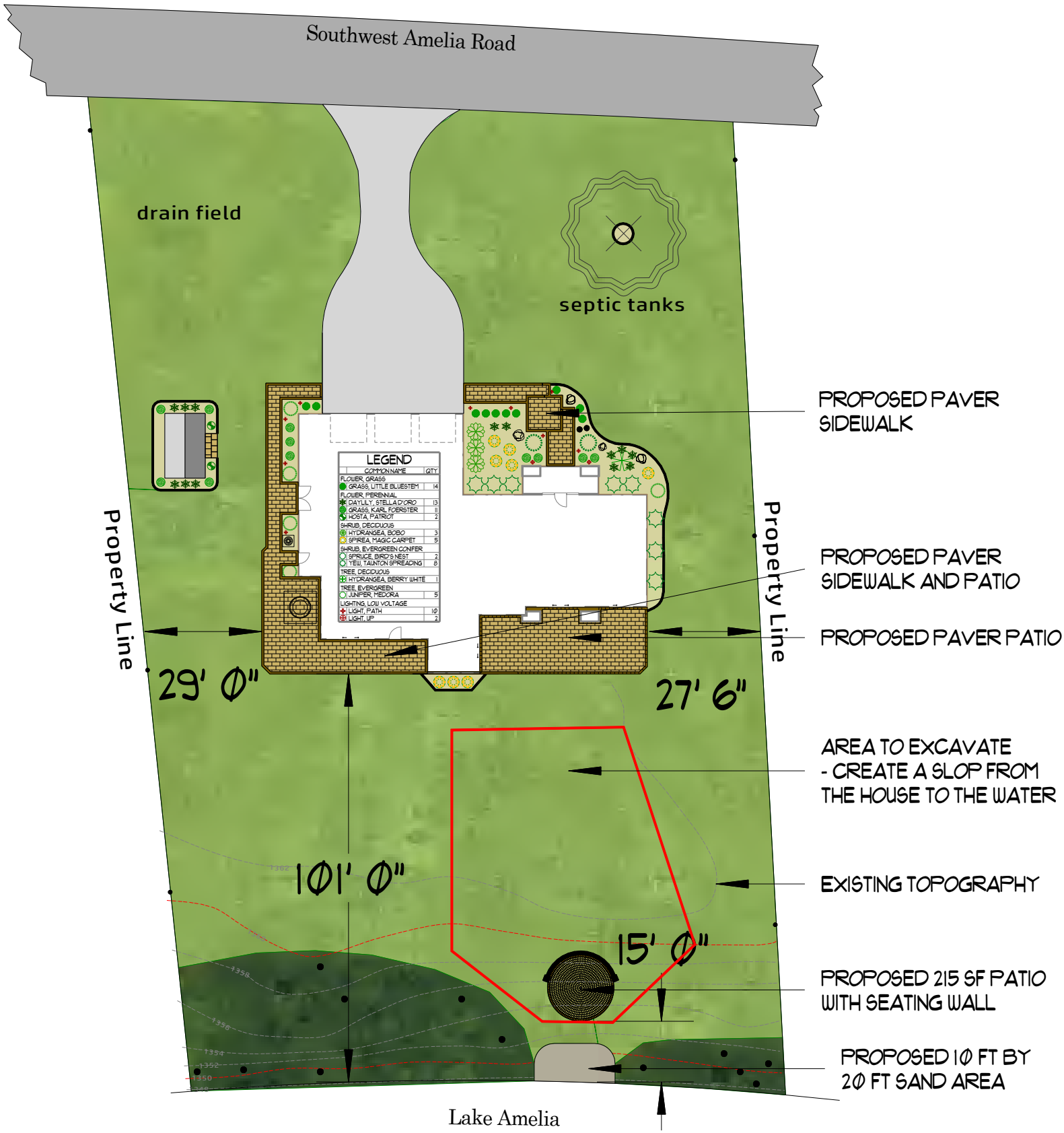
Information to be included on the site plan:

- [x] 1. North arrow and scale if applicable
- [x] 2. Location/size of ALL existing and proposed structures
- [x] 3. Location of property lines
- [x] 4. Location of roads and driveways
- [x] 5. Location of well and septic system components (tank and drainfield)
- [x] 6. Location of wetlands
- [x] 7. Area where fill soil will be brought in or removed
- [x] 8. Distance from: a. lake; b. road; c. property lines; d. other structures; e. septic components (tank and drainfield)
- [x] 9. Distance to neighboring feedlots
- [x] 10. Sign and date drawing

NEXT STEPS: YOUR WORK IS SAVED AUTOMATICALLY. SELECT THE "BACK TO WORKSPACE" BUTTON IN THE TOP LEFT CORNER OF YOUR SCREEN.

Supplemental Information Attachment 2:

Landscape Plan
(Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)



Revision #: 1 Date: 7/16/2026	Scale: 1/32" = 1'	Landscape Plan: landscaping Maier Residence	Landscape Design by: Leroy Ludwig Nature's View Landscaping, Inc.

Supplemental Information Attachment 3:

Narrative
(Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)

Project Narrative

The proposed project is intended to improve drainage, reduce soil erosion, and protect the existing residence from stormwater runoff. The project will also allow a safe path for the homeowners to navigate to the lake from the house. The work consists of two primary components:

1. **Installation of paving stones**: Paving stones will be installed around portions of the house, and a patio installed near the lake, to provide a stable walking and resting surface, reduce soil erosion adjacent to the foundation, and help direct surface water away from the structure. The paving stones will be installed over a properly prepared base in accordance with manufacturer's recommendations.
2. **Backyard Regrading**: The existing backyard will be regraded to establish a gradual, continuous slope extending from the rear of the house towards the water. Next to the water, a 10-foot by 20-foot beach area will be installed. The purpose of the regrading is to create an area that is easy to walk up and down to and from the lake. The grading will be designed to create a stable slop while minimizing disturbance to the back of the property. And the beach area will be a place for homeowners and families to hang out and play in the sand at the lakeshore.

The grading of the back yard, when completed, will look like the property next door to the north. This will allow safer travel to and from the lake.

Appropriate erosion and sediment control measures will be implemented during construction to prevent sediment from entering Lake Amelia. Existing drainage patterns will be maintained or improved, and all disturbed areas will be stabilized upon completion of work.

The proposed improvements are intended to enhance the long-term stability of the property, improve drainage, reduce erosion, and protect the residence while minimizing environmental impacts.

3135 Co Rd 136, St. Cloud, MN 56387 lludwig@naturesviewlandscpaing.com PH: 320.255.9664

The total area of pavers being added is 1,750 square feet around the house, and 200 square feet of pavers added near the lake. The pavers near the lake would be kept back at least 10 feet from the OHWL.

The amount of fill to be removed in the back yard is approximately 175 cubic yards. The topsoil will be set aside, fill removed and hauled away, and the topsoil put back in place. Also, about 8 cubic yards of sand (10 foot wide by 20 foot long by 12 inches deep) will be added as a beach on the edge of the lake.

The proposed slope of the back yard would consist of about a 9-foot drop in 80 feet of length, which is about a 9:1 slope.

3135 Co Rd 136, St. Cloud, MN 56387 lludwig@naturesviewlandscpaing.com PH: 320.255.9664

Supplemental Information Attachment 4:

Erosion and Sediment Control Plan (ESCP)
(Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)

EROSION AND SEDIMENT CONTROL PLAN (ESCP)

Residential Shoreland Grading and Beach Construction

Project: Residential Backyard Regrading and Shoreline Beach Installation

Location: Pope County, Minnesota

Owner: Renee Maier

Applicant: Leroy Ludwig with Nature's View Landscaping, Inc.

Contractor: Nature's View Landscaping, Inc.

Prepared By: Leroy Ludwig

Date: July 16th, 2026

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1. PROJECT DESCRIPTION

This project consists of the regrading of an existing residential backyard that will slope towards a lake, installation of permanent erosion control measures, placement of topsoil, establishment of permanent vegetation, and construction of a sand beach along the existing shoreline.

The purpose of the grading is to improve drainage, stabilize the slope, reduce erosion potential, and create a safe transition to the shoreline while minimizing impacts to adjacent waters.

All construction activities shall be conducted in accordance with the Minnesota Pollution Control Agency (MPCA) Construction Stormwater General Permit, applicable Pope County Shoreland Ordinance requirements, Minnesota Department of Natural Resources (DNR) permit conditions (if applicable), and all approved project plans.

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2. PROJECT LIMITS

The limits of disturbance include only those areas necessary for:

- Earth excavation
- Fill placement

- Grading
- Sand beach installation
- Equipment access
- Temporary stockpiles
- Restoration

Existing vegetation outside the limits of disturbance shall remain undisturbed and protected throughout construction.

---

3. EXISTING SITE CONDITIONS

The site consists of an existing newly built residential property with existing vegetation extending from the residence to the shoreline.

The property slopes way from the house.

Surface runoff currently flows toward the front of the lot and the lake.

The shoreline consists of existing native soils with vegetation.

No permanent storm sewer facilities exist within the project limits.

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4. CONSTRUCTION SEQUENCE

Phase 1 – Preconstruction

- Stake limits of disturbance.
- Install construction entrance.
- Install perimeter sediment controls.
- Protect existing vegetation.
- Identify material stockpile locations.
- Conduct preconstruction inspection.

Phase 2 – Earthwork

- Strip topsoil where necessary.
- Perform rough grading.
- Maintain positive drainage.
- Minimize exposed soil.
- Stabilize inactive areas within seven (7) days.

Phase 3 – Shoreline Work

- Complete final grading adjacent to shoreline.
- Install temporary shoreline protection BMPs.
- Place approved beach sand.
- Grade sand to final elevation.
- Immediately stabilize adjacent disturbed soils.

Phase 4 – Final Stabilization

- Replace topsoil.
- Apply seed.
- Apply mulch.
- Install erosion control blankets where required.
- Remove temporary BMPs after final stabilization.

---

5. BEST MANAGEMENT PRACTICES (BMPs)

5.1 Construction Entrance

A stabilized construction entrance shall be installed prior to construction.

Minimum requirements:

- 12-foot minimum width
- 50-foot minimum length (or maximum practical length)
- 6-inch minimum aggregate depth
- 2–3 inch crushed aggregate
- Nonwoven geotextile separator

The entrance shall be maintained throughout construction.

Public roads shall remain free of sediment.

5.2 Perimeter Sediment Control

Continuous silt fence shall be installed along the downgradient limits of disturbance.

Silt fence shall also protect:

- Soil stockpiles
- Disturbed shoreline areas
- Temporary staging areas

Fence shall be entrenched a minimum of six (6) inches.

Posts shall be spaced no greater than eight (8) feet apart.

Sediment shall be removed when accumulation reaches one-half the fabric height.

5.3 Compost Logs / Fiber Rolls

Compost logs shall be installed:

- Along slope contours
- Upslope of shoreline
- Around disturbed shoreline areas

Logs shall be securely anchored.

Damaged sections shall be replaced immediately.

5.4 Temporary Soil Stabilization

Areas inactive for more than seven (7) calendar days shall receive temporary stabilization consisting of one or more of the following:

- Hydraulic mulch
- Straw mulch
- Temporary seed
- Rolled erosion control products

5.5 Permanent Stabilization

Upon completion of grading:

- Minimum four (4) inches of topsoil shall be placed where removed.
- Permanent seed mixture shall be applied.
- Certified weed-free mulch shall be applied.
- Erosion control blanket shall be installed on slopes steeper than 3H:1V.

Permanent stabilization shall be initiated immediately following final grading.

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6. SHORELINE PROTECTION

The receiving water is Amelia lake.

Protection of water quality is the highest priority during construction.

The following requirements shall apply:

- No excavated soil shall be pushed into the lake.
- Equipment shall remain landward of the ordinary high-water level whenever possible.
- Sand shall be clean, washed, and free of organic material.
- Beach sand shall be placed directly in the approved construction area.
- Temporary sediment controls shall remain operational until disturbed upland areas have achieved permanent stabilization.

Construction activities shall immediately cease if sediment enters the lake until corrective measures have been implemented.

---

7. MATERIAL STOCKPILES

Stockpiles shall:

- Be located outside drainage pathways.
- Be located a minimum practical distance from the shoreline.
- Be surrounded by sediment control.
- Be covered if inactive for more than seven (7) days.
- Be permanently stabilized upon project completion.

---

8. DEWATERING

Groundwater or accumulated precipitation shall be managed to prevent sediment discharge.

Acceptable methods include:

- Vegetated infiltration areas
- Dewatering bags

- Portable settling tanks
- Sediment filtration devices

Direct discharge to the lake is prohibited.

---

9. POLLUTION PREVENTION

Construction materials shall be stored to prevent discharge into adjacent waters.

The contractor shall provide:

- Spill response kit
- Equipment absorbents
- Covered waste containers
- Concrete washout area (if concrete is used)

Fueling shall occur as far from the shoreline as practical.

Equipment leaking oil or hydraulic fluid shall be removed from service immediately.

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10. INSPECTION REQUIREMENTS

A qualified individual shall inspect all erosion and sediment control BMPs:

- Prior to construction
- At least once every seven (7) days
- Within 24 hours after rainfall events of 0.5 inch or greater
- After significant runoff events
- After snowmelt runoff

Inspection reports shall document:

- Date and time
- Inspector
- Weather conditions
- BMP condition
- Corrective actions
- Date of repairs

Deficiencies shall be corrected within twenty-four (24) hours whenever feasible.

11. MAINTENANCE REQUIREMENTS

The contractor shall maintain all BMPs throughout construction.

Maintenance includes:

- Repair torn silt fence
- Replace damaged compost logs
- Remove accumulated sediment
- Repair washouts
- Replace displaced mulch
- Repair erosion blanket
- Restore disturbed stabilization

BMPs shall remain functional until final stabilization is achieved.

---

12. FINAL STABILIZATION

Final stabilization shall be considered complete when:

- Final grading has been completed.
- Disturbed soils have permanent vegetation providing approximately seventy (70) percent uniform cover or equivalent permanent stabilization.
- Beach construction has been completed.
- All disturbed areas have been stabilized.
- Temporary BMPs have been removed after stabilization.
- No evidence of sediment discharge exists.

---

13. PERMANENT VEGETATION

Recommended upland seed mixture:

- Kentucky Bluegrass
- Fine Fescue
- Perennial Ryegrass

Alternative native conservation mixes may be substituted where required by local regulations.

Mulch shall be applied at approximately two (2) tons per acre and anchored.

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14. STANDARD NOTES

1. Install all BMPs before beginning earth disturbance.
2. Disturb the minimum area necessary to complete construction.
3. Stabilize disturbed soils immediately following grading.
4. Maintain all BMPs until final stabilization.
5. Prevent sediment from entering the adjacent lake at all times.
6. Repair damaged erosion control measures immediately.
7. Stockpiles shall remain protected.
8. Waste materials shall be removed regularly.
9. The contractor is responsible for complying with all applicable permits.
10. Any field modifications affecting drainage or erosion control shall be approved by the project designer before implementation.

---

15. EMERGENCY CONTACTS

Owner: Renee Maier

Contractor: Nature’s View Landscaping, Inc.

Site Superintendent: Joe Welle

Emergency Phone: (320) 249-8958 Leroy Ludwig

CERTIFICATION

I certify that this Erosion and Sediment Control Plan has been prepared using generally accepted engineering practices for residential grading projects in Minnesota and is intended to minimize erosion and sediment transport during construction. The contractor shall be responsible for implementing, maintaining, and modifying erosion and sediment control measures as site conditions require to prevent sediment from leaving the construction site.

Supplemental Information Attachment 5:

Stormwater Pollution Prevention Plan (SWPPP)
(Leroy Ludwig, Nature's View Landscaping, Inc., 16 July 2026)

Stormwater Pollution Prevention Plan (SWPPP)

Project: Maier Residence

Location: 15496 SW Amelia Rd, Glenwood, MN 56334

Owner: Renee Maier

Contractor: Nature's View Landscaping, Inc.

Site Size: 0.86 acres

Disturbed Area: 4,000 sq ft

Description: Adding paving stones, regrading the back yard, adding a sand beach.

Start: ASAP

Completion: Within 60 days of permit (ground not frozen)

Receiving Water: Amelia Lake

Slopes: Moderate

Erosion and Sediment Controls

- Install silt fence downslope before earthwork.
- Install biologs along shoreline/disturbed flow paths.
- Install erosion control blankets on disturbed slopes.
- Seed disturbed areas immediately after final grading.
- Inspect BMPs weekly and within 24 hours after 0.5 inch rain.
- Repair damaged BMPs promptly and remove sediment when 50% capacity reached.

Pollution Prevention

No concrete washout is required. No fuel or material storage will occur onsite. Equipment will be maintained offsite where practical. Any spills will be contained, cleaned immediately, and prevented from reaching Amelia Lake.

Construction Sequence

1. Install BMPs
2. Perform grading
3. Install paving stones
4. Construct sand beach
5. Install blankets
6. Final grading
7. Seed disturbed areas

8. Remove temporary BMPs after stabilization

Inspection Log

Date	Inspector	Rainfall	Findings	Actions

Supplemental Information Attachment 6:

Site Visit Photos
(L&RM Staff, 14 September 2026)