



3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

PLANNING REPORT

TO: Baldwin Township Planning Commission

FROM: D. Daniel Licht

REPORT DATE: 22 February 2024

60-DAY DATE: 9 April 2024

RE: Baldwin Township – BoJack Properties; SSTS Setback Variance

TPC FILE: 269.02

BACKGROUND

Bo Jack Properties, LLC, has acquired the property at 14308 285th Avenue, which is developed with a single family. The property owner is proposing to install a new Subsurface Sewerage Treatment System (SSTS), but the limited area, width, and depth of the lot means that the proposed SSTS does not comply with required setbacks from the existing well within the property. The property owner has applied for a variance to allow for the installation of the new SSTS. Variance applications are processed in accordance with Section XX-6-4 of the Zoning Ordinance subject to review by the Planning Commission and approval of the Town Board. A public hearing to consider the application has been noticed for the Planning Commission meeting on 28 February 2023 at 7:00PM.

Exhibits:

- Site Location Map
- SSTS plan dated 7/28/2023 (10 pages)
- Draft findings of fact

ANALYSIS

Comprehensive Plan. The Baldwin Township Comprehensive Plan guides development of land use patterns that provide connections to existing public amenities and the natural landscape. Existing rural residential character is to be expanded without spoiling scenery or open spaces. The existing use of the property is consistent with the Comprehensive Plan.

Zoning. The subject site is zoned R1, General Rural District. The subject site is also within the Shoreland Overland District of Elk Lake, which is designated as a General Development Lake. The existing single family dwelling is allowed as a permitted use within the R1 District and Shoreland Overlay District.

Surrounding Uses. The properties to the north and south of the subject site are similarly sized lots developed with single family dwellings. The existing use of the subject site is compatible with surrounding properties.

Lot Requirements. Platted lots within the R1 District are required to be 2.5 acres in area, 200 feet in width measured at the front setback line abutting a public right-of-way, and 300 feet in depth. Lots within the Shoreland Overlay District of a General Development Lake are required by Section XX-90-7.A.1 of the Zoning Ordinance to be a minimum of 40,000 square feet in area and 150 feet in width. The subject site is 0.18 acres (7,048 square feet) in area, approximately 90 feet in width, and approximately 90 feet in depth. The property is a legal non-conforming lot of record governed by Chapter 15 of the Zoning Ordinance.

Setbacks. Chapter 4 of the Building Ordinance requires SSTS installations to be setback a minimum of 10 feet from all property lines and buildings within the lot and 50 feet from wells. The site plan included with the SSTS plan indicates that the new system is to be installed at a location that complies with the setbacks required property lines and structures within the lot, but is within the setback from the existing well within the property.

Variance. Continuation of the existing single family residential use upon the subject site as a legal non-conforming lot in accordance with Section XX-15-2.D of the Zoning Ordinance is contingent upon installation of a new SSTS. The area, width, and depth of the legal non-conforming lot is such that it is not possible to locate a SSTS anywhere within the subject site that complies with the setback required from the existing well within the property. There is an undue hardship caused by the setback regulations of the SSTS chapter of the Town Building Ordinance that would prevent a reasonable use of the property unless a variance is approved.

RECOMMENDATION

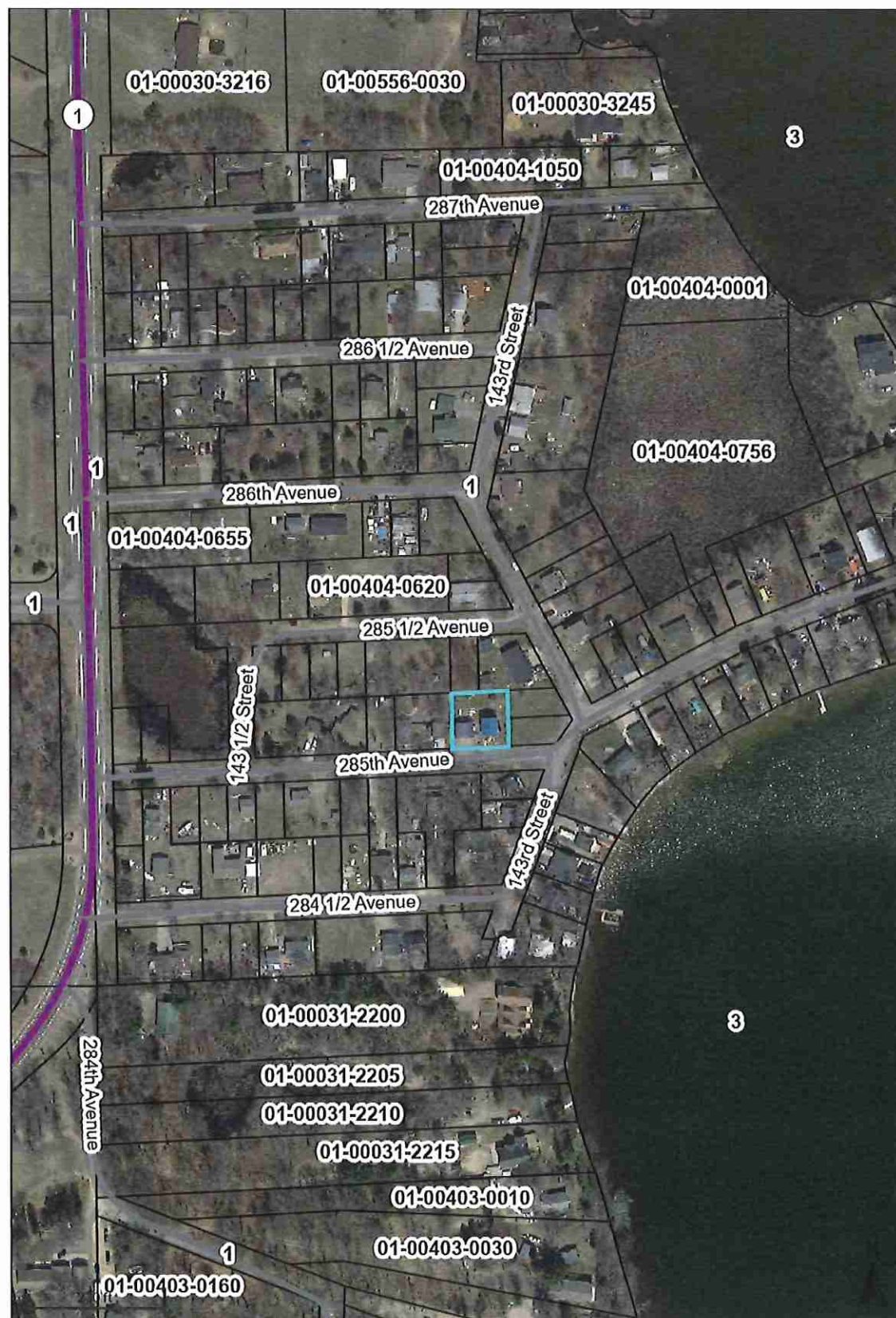
Our office recommends approval of a variance for installation of a SSTS in accordance with the criteria established by the Zoning Ordinance. Findings of Fact and Recommendation have been drafted for consideration by the Planning Commission. We recommend that approval of the variance be subject to the conditions outlined below.

POSSIBLE ACTIONS

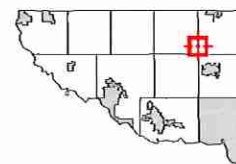
- A. Motion to **adopt** Findings of Fact as presented and recommend **approval** of a variance for PID 01-00404-0440, subject to the following conditions:
 - 1. Installation of the SSTS shall be installed in accordance with Chapter 4 of the Building Ordinance subject to review and approval of the Building Official except as modified by the variance.
 - B. Motion to recommend the application be **denied** based on a finding that the request is inconsistent with the Comprehensive Plan and criteria established by the Zoning Ordinance.
 - C. Motion to **table**.
- c. Joan Heinen, Town Clerk/Treasurer
Andy Schreder, Town Building Official
James Bedell, DNR

Site Location Map

14308 285th Ave



Overview



Legend

Roads

- MN Highway; US Highway
- Municipal-State Aid Street
- Municipal Street
- Township Road
- State Forest Road
- Bureau of Fish and Wildlife Road
- Connector (Ramp)
- Privately Maintained Public Access Road
- County Road
- County-State Aid Highway
- Parcels
- Streams

Mound Design

2011 purple code

www.SepticResource.com (vers 22.2)

Property Owner: Bojack properties

Date: 7/28/2023

Site Address: 14308 285th AVE Zimmerman

PID: _____

Comments: _____

Instructions: = enter data = adjust if desired = computer calculated - DO NOT CHANGE!

- 1) bedroom Type Residential System
- 2) GPD design flow
- 3) Garbage disposal or pumped to septic
- 4) Gal Septic tank (code ext.) Gal Septic tank (design size / LUG req'd) Add *New pump Tank*
Tank options: none
- 5) GPD/ft² mound sand loading rate contour loading rate of req's a min ft. long rockbed
- 6) ft rockbed width ft rockbed length
- 7) ft lateral spacing ft perforation spacing (maximum of 3 for both)
 manifold connection
- 8) laterals feet long perfs / lateral perfs total
(1/2 a perf means the first perf starts at the middle feed manifold)
- 9) inch perfs at feet residual head gives gpm flow rate per perforation
for this perf size & spacing, & pipe size on line 12, max perfs/lateral = , line #8 must be less --> OK
- 10) doses per day (4 minimum)
- 11) gallons per dose (treatment volume)
- 12) inch diameter laterals must be used to meet "4x pipe volume" requirement
- 13) feet of inch supply line leads to gallons of drainback volume
(Tip: "top feed" manifold to control the drainback)
- 14) gallons TOTAL pump out volume (treatment + drainback)
- 15) feet vertical lift from pump to mound laterals, leads to a:
- 16) GPM @ feet of head, Pump requirement (note: >50gpm may require an extra 3-6' of head)
- 17) gal Dose tank (code minimum) gal Dose tank (design size / LUG req'd) at gpi
leads to a:
- 18) inch swing on Demand float, (this delivers Average flow, =70% of Peak design flow)

3.3	min ON
8.5	hrs OFF
12	inches to "Timer ON" float
28	inches to "Hi Level" float
- 19) inches from bottom of tank to "Pump OFF" float
- 20) inches from bottom of tank to "Pump ON" float
- 21) inches from bottom of tank to "Hi Level" float

22) 50 gallons reserve capacity (after High Level Alarm is activated-demand dosed)

23) 0.60 gpd/ft² Absorption area Soil Loading Rate, which gives a mound ratio of 1.7 (minimum)
(this must match the soil boring log) desired mound ratio 1.7

24) 1 percent site slope (0-20% range) 1 (% downslope site slope, if different than upslope)

25) 12 inches, or 1.0 ft. to Redox or other limiting condition (need at least 12" to be a Type I)
Treatment zone contains 0 inches of 0% soil credit, and 0 inches of 50% soil credit. Giving a:

26) 24 inch, or 2.0 ft. Sand Lift Mound **CRITICAL FOR FUTURE CERTIFICATIONS!!!**

27) 17.0 ft. Total ABSORPTION width (with sand beyond rockbed as follows:)

28) 3.5 ft. upslope and sideslope
3.5 ft. Downslope

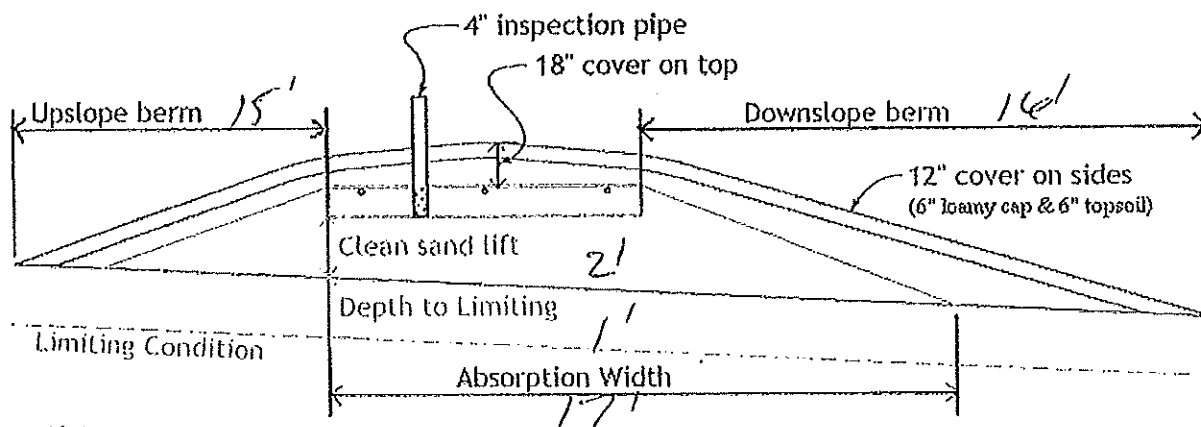
Individual slope ratios give BERM widths (topsoil beyond rockbed) of:

29) 4:1 upslope ratio 15 ft. upslope berm

30) 4:1 sideslope 16 ft. sideslope berms

31) 4:1 downslope 16 ft. downslope berm

32) Overall Dimensions: 10.0 ft. wide by 30.0 ft. long Rock bed
41 ft. wide by 62 ft. long Mound footprint



Note:

For 0 to 1% slopes, *Absorption Width* is measured from the *Bed* equally in both directions.
For slopes >1%, *Absorption Width* is measured downhill from the upslope edge of the *Bed*.

33) Rock Bed:
10.0 ft. by 30.0 ft. by 6 inches under pipe, plus 20% gives 10 yd³ or *1.4= 14 ton

34) Mound Sand: (note: volume is based on 3:1 1/4:1 slope from top of rockbed, Exchange sand for loamy cap if desired)
34.7 up + 40.1 downslope + 14.2 ends + 22.8 under rock = 134 yd³ or *1.4= 188 ton
plus 20%

35) Loamy Cap:
37 ft. by 58 ft. 6" deep, plus 20% gives 48 yd³ or *1.4= 67 ton

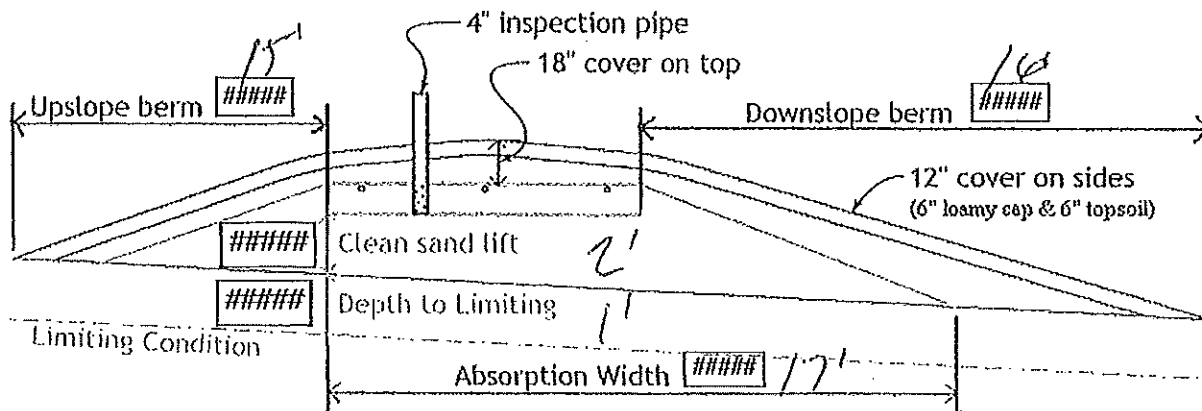
36) Topsoil:
41 ft. by 62 ft. 6" deep, plus 20% gives 57 yd³ or *1.4= 80 ton

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Designer Signature [Signature] Company TLW License# 6534 Date 7/28/2023

Installer Summary

1000 gallon Septic tank (minimum) Tank options: none
 500 gallon Dose tank (minimum) at 25.00 gpl
 23 GPM @ 14 ft. of head, Pump required
 3.1 inch swing on Demand float which translates to roughly 2.6 inches of float tether length
 Optional Time dosing of:
 3.3 minutes ON
 8.5 hours OFF
 15 inches from bottom of tank to "pump ON" float, or
 18 inches from bottom of tank to "Hi Level Alarm" or
 12 inches to "timer ON" float
 28 inches to "Hi level" float
 10 ft. of 2.0 inch supply line with end feed manifold connection
 (Tip: "top feed" manifold to control drainback)
 24 inch, or 2.0 ft. Sand Lift Mound
 10.0 ft. wide by 30.0 ft. long Rock bed
 3 laterals 2.00 inch diameter 28.0 ft. long 3.0 ft. lateral spacing
 1/4" inch perfs 3.0 ft. perforation spacing
 No Effluent filter & alarm
 3 clean out & valve box assemblies
 17.0 ft. Total sand ABSORPTION width (minimum)
 3.5 ft. upslope and sideslope (sand beyond rockbed, minimum)
 3.5 ft. Downslope (sand beyond rockbed, minimum)
 Specific slope ratios give BERM widths (topsoil beyond rockbed) of:
 4:1 upslope ratio 15 ft. upslope berm
 4:1 sideslope 16 ft. sideslope berms
 4:1 downslope 16 ft. downslope berm



Note:

For 0 to 1% slopes, Absorption Width is measured from the Bed equally in both directions.
 For slopes >1%, Absorption Width is measured downhill from the upslope edge of the Bed.

Rock Bed:	10.0	yd ³ or *1.4=	14	ton	6 inches under pipe
Mound Sand:	134	yd ³ or *1.4=	188	ton	calculation based on 3:1/4:1 slope from top of rockbed
Loamy Cap:	48	yd ³ or *1.4=	67	ton	6" deep
Topsoil:	57	yd ³ or *1.4=	80	ton	6" deep

INSPECTOR CHECKLIST - mound

14308 285th AVE Zimmerman

- ☐ WELL setbacks: 20'- 50' to sewer line req's MDH pressure test form (5 psi for 15 min)
50' to everything 100' to drainfield with shallow well
- ☐ PROPERTY LINES setback: 10' to everything
- ☐ Road setback: platted: 10' prop line. Metes & bounds: out of road easement, or outer ditch.
- ☐ LAKE / BLUFF setback: 20' for bluff. Lakes: GD __, RD __, NE __. Protected wetland __.
- ☐ Building setbacks: 10' for everything, 20' for dispersal area.
- ☐ WATER LINE under pressure 10' to bed, tank & sewer line. (else sewer line > 12" below)
- ☐ Sewer line & tank connection (no hard 90's, long sweep 90 or 2-45's, slope minimum 1" in 8' = 1%)
(no depth req's, clean out every 100', Sch 40 pipe)
- ☐ Septic tank and risers (water tight risers, baffles, insulated, proper depth, existing verified by pumping)
mfg _____ 1000 gallons none _____
- ☐ Riser over outlet, riser over inlet or center, and 6"+ inspection pipe over any remaining baffles.
No _____ effluent filter & alarm
- ☐ Dose tank, risers and piping (water tight risers, insulated, proper depth, drainback)
mfg _____ 500 gallons
- ☐ dose pump _____ 23 gpm 14 head VERIFY PUMP CURVE
- Optional Time dosing of:
 3.3 min ON 8.5 hr OFF
- ☐ verify that installed "vertical lift from pump to laterals" is no more than design value of 8 feet
- ☐ float setting drop 3.1 inches at 25.0 gpi "DESIGNED" 2.6 inches approx float tether length
77.0 gal dose divided by _____ gpi "INSTALLED" = _____ inches float drop (field corrected)
- LABEL pump requirements and drawdown on riser or panel
- ☐ Cam lock reachable from grade - 30" max. J-hook weep hole. Supply line access (no hard 90's)
2.0 inch supply pipe: Sch40, sloped 1/8"+, supported by 4" sch40 sleeve or compacted, and buried 6"+.
- ☐ splice box / control panel / electrical connections / Hi Level Alarm
- ☐ flow measurement: CT, ETM, time dosed, home water meter
- ☐ mound absorption area rough up
- ☐ mound rock dimensions 10.0 X 30.0
- ☐ Sand lift depth 24 inches. (Jar test : 2" sand leaves < 1/8" silt after 30 min)
- ☐ Absorption Sand beyond rock 3.5 upslope 3.5 downslope
- ☐ Bermed topsoil beyond rockbed 15 upslope 16 sideslope 16 downslope
- ☐ cover depth of 12-18"+ VERIFY
- ☐ 3 laterals (1-2' from edge of rock)
- ☐ 2.00 inch pipe size (Sch40 pipe & fittings)
- ☐ 3.0 ft lateral spacing
- ☐ 1/4" inch perforations
- ☐ 3.0 ft perforation spacing

System Elevations

_____ benchmark _____

(Grade elevations are existing. If a different final grade is desired it should be shown and described here.)

☐
☐
☐

Air inlet at end of laterals, and at top feed manifold if necessary.
 clean outs (no hard 90's)
 4" inspection pipe to bottom of rock, anchored

VERIFY

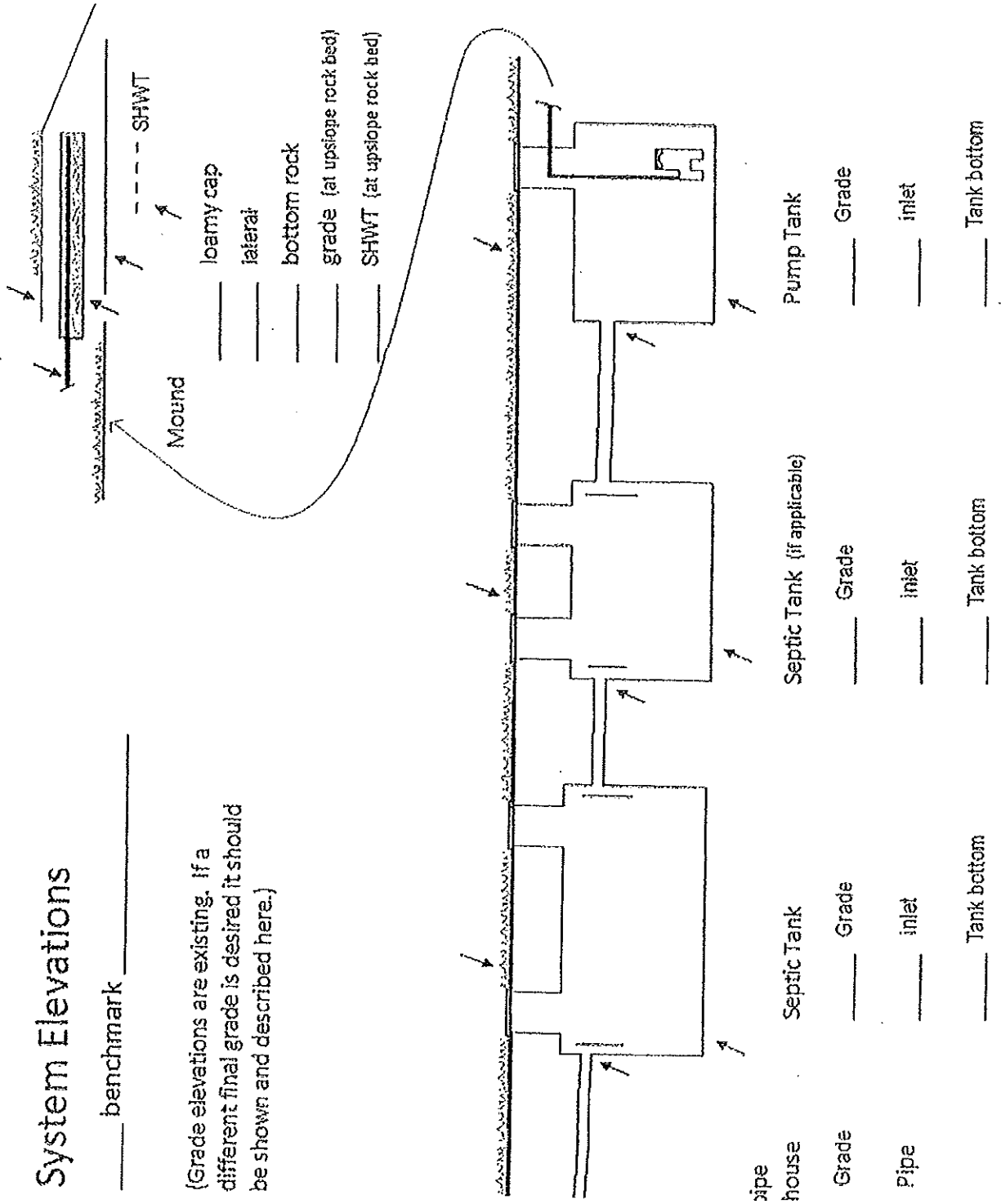
VERIFY

☐
☐
☐

Abandon existing system - if necessary
 monitoring plan and type _____
 well abandonment form - if necessary _____

☐

Re-use existing tank certification



Soil Observation Log

Owner Information		
Property Owner / project:	<u>Bojack properties</u>	Date <u>7/28/2023</u>
Property Address / PID:	<u>14308 285th AVE Zimmerman</u>	

Soil Survey Information		☐ refer to attached soil survey
Parent mat'l's:	☐ Till ☒ Outwash ☐ Lacustrine ☐ Alluvium ☐ Organic ☐ Bedrock	
landscape position:	☐ Summit ☐ Shoulder ☒ Side slope ☐ Toe slope	
soil survey map units:	slope <u>1</u> % direction- <u>downhill</u>	

Soil Log #1								
Depth (in)	Texture	☒ Boring	☐ Pit	Elevation _____	Depth to SHWT _____	consistence	grade	shape
		fragment %	matrix color					
0''-12''	Fine sand			10yr 3/2		Loose	Loose	Single grain
12''+	Fine sand			10yr 4/4	10yr6/5 mottles	Loose	Loose	Single grain
						loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive
						loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive
						loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive

Comments:

14308 285th AVE Zimmerman

Soil Log #2

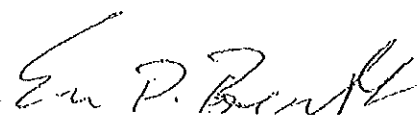
☒ Boring ☐ Pit		Elevation _____		Depth to SHWT _____			
Depth (in)	Texture	fragment %	matrix color	redox color	consistence	grade	shape
0"-14"	Fine sand	<35	10yr 3/2		Loose	Loose	Single grain
14"+	Fine sand	<35	10yr 4/4	10yr6/5 mottles	Loose	Loose	Single grain
		<35 35 - 50 >50			loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive
		<35 35 - 50 >50			loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive
		<35 35 - 50 >50			loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive

14308 285th AVE Zimmerman

Soil Log #3

☒ Boring ☐ Pit		Elevation _____		Depth to SHWT _____			
Depth (in)	Texture	fragment %	matrix color	redox color	consistence	grade	shape
0"-12"	Fine sand	<35	10yr 3/2		Loose	Loose	Single grain
12"+	Fine sand	<35	10yr 4/4	10yr6/5 mottles	Loose	Loose	Single grain
		<35 35 - 50 >50			loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive
		<35 35 - 50 >50			loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive
		<35 35 - 50 >50			loose friable firm rigid	loose weak moderate strong	single grain granular blocky prismatic platy massive

I hereby certify this work was completed in accordance with MN 7080 and any local req's.

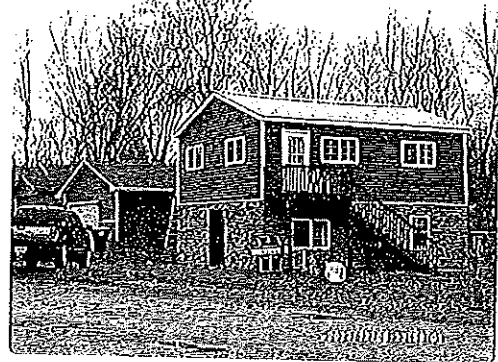

 Eric P. Benth #6524

Sherburne County, MN

Summary

Starting Jan 1, 2024, Sherburne County is using a new Parcel-ID format. If you have the old format of (xx-xxx-xxxx) please use the new format of (xx-00xxx-xxxx).

Parcel ID 01-00404-0440
 Primary Parcel n/a
 Parcel Type RE
 Property Address 14308 285TH AVE NW, ZIMMERMAN MN
 Plat 104-ELK LAKE ESTATES
 Sec-Twp-Rng Sec.30 T35N R26W
 Legal Description LOT 8 & 9, BLK 4
 (Note: Legal descriptions here are for tax purposes only. Do not use them for recording purposes.)
 Last Recording A 952550 Date: 01/03/2023
 Deeded Acres 0.18
 Tax District BALDWIN
 Status N/A
 Appraiser DDB
 School District 477 - PRINCETON ISD 477



Homestead Application

Homestead Application

Permit Application

Permits

Sales

Document	Sale Date	Sale Price	Adj Price	eCRV
A 934045	12/2021	\$70,000	\$70,000	1357153
	12/2004	\$20,000	\$20,000	
	07/1996	\$1,500	\$1,500	
	05/1996	\$5,000	\$5,000	

± There are other parcels involved in one or more of the above sales:

Valuation

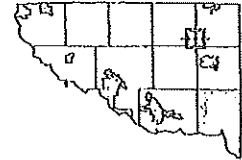
	2023 Assessment	2022 Assessment	2021 Assessment	2020 Assessment
Estimated Land Value	\$69,000	\$21,900	\$17,600	\$15,100
Estimated Building Value	\$114,400	\$28,600	\$21,900	\$16,600
Total Estimated Value	\$183,400	\$50,500	\$39,500	\$31,700
Classification	Residential 1 unit	Residential 1 unit	Residential 1 unit	Residential 1 unit
Occupancy	NON-HOMESTEAD	NON-HOMESTEAD	HOMESTEAD	HOMESTEAD

Tax History

	2023 Payable	2022 Payable	2021 Payable
Taxable Value	\$50,500	\$22,740	\$18,060
Net Tax	\$420.00	\$240.00	\$206.00
Special Assessments	\$0.00	\$0.00	\$0.00
Principle Balance of Spec. Assessments			
Total Payable	\$420.00	\$240.00	\$206.00
Penalty Due	\$0.00	\$0.00	\$0.00
Cost Due & Fees	\$0.00	\$0.00	\$0.00
Interest Due	\$0.00	\$0.00	\$0.00
Total Unpaid	\$0.00	\$0.00	\$0.00



Overview



Legend

Public Water Inventory

- ☒ Not Classified
- ☐ General Development
- ☒ Natural Environment
- ☐ Recreational Development
- ☐ Parcels
- ☐ Streams

Parcel ID	01-404-0440	Alternate ID	n/a	Owner Address	28299 144TH ST NW
Sec/Twp/Rng	30-35-26	Class	201-Residential 1 unit		ZIMMERMAN MN 55398
Property Address	14308 285TH AVE NW	Acreage	0.18		
	ZIMMERMAN				
District	BALDWIN				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

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Disclaimer for St Cloud Parcels: Sherburne County information about St Cloud properties are limited to classification and value. Any questions regarding additional information please contact the City of St Cloud's assessor office.

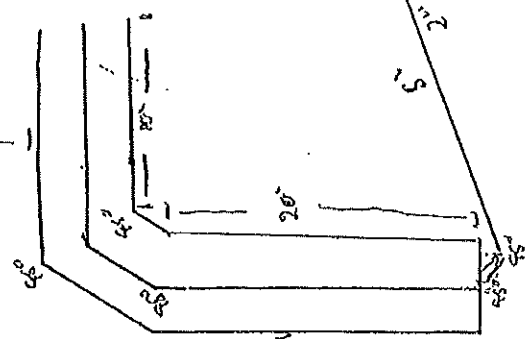
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Last Data Uploaded: 7/28/2023 8:25:20 AM

Developed by Schneider
GEOSPATIAL

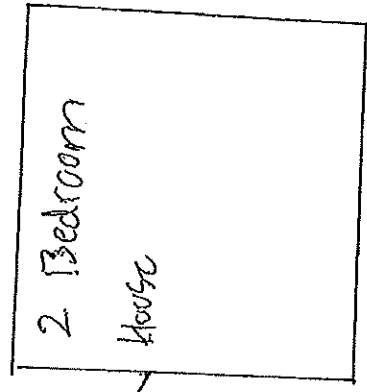
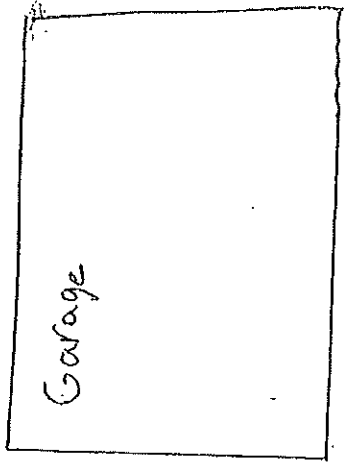
*There is A Shallow well
on the property. New TAPK
And Drain Field is 50' Away
What would you like to do.
(Variance?)*

property line

fence line



N



or shallow well

ext. line

* Map not to scale
* Well is 50' from drain field

265th

Property line

property line

**BALDWIN TOWNSHIP
PLANNING COMMISSION
VARIANCE
FINDINGS OF FACT & RECOMMENDATION**

APPLICANT: BoJack Properties, LLC

APPLICATION: Request for variance to allow installation of a Subsurface Sewage Treatment System (SSTS) with setback of less than required by the Town Building Ordinance from an existing well.

PLANNING COMMISSION MEETING: 28 February 2024

FINDINGS: Based upon review of the application and evidence received, the Baldwin Township Planning Commission now makes the following findings of fact:

1. The legal description of the property is Lots 8 and 9, Block 4, Elk Lake Estates, Baldwin Township.
2. The property is guided for rural land uses Comprehensive Plan.
3. The property is zoned R1, General Rural District and is also located within the Shoreland Overlay District of Elk Lake.
4. The applicant is requesting a variance to allow installation of a new SSTS within the 50 foot setback of the OWHL required by Section XX-90-3.B.1 of the Zoning Ordinance.
5. The Planning Commission must take into consideration the possible effects of the request with their judgment based upon (but not limited to) the criteria outlined in Section XX-6-3 of the Zoning Ordinance:
 - A. That the variance would be consistent with the comprehensive plan.

Finding: The continuation of the existing residential use upon the legal non-conforming lot is consistent with the Comprehensive plan.
 - B. That the variance would be in harmony with the general purposes and intent of this ordinance.

Finding: The proposed SSTS is to located to provide the greatest separation between the SSTS and existing well within the same lot in compliance with other applicable setback requirements.
 - C. That the plight of the landowner is due to circumstances unique to the property not created by the landowner.

Finding: The property was established as a lot of record prior to adoption of the current lot and setback requirements applicable to the installation of an SSTS.

- D. That the purpose of the variance is not exclusively economic considerations.

Finding: The need for variance is to the legal non-conforming area, width, and depth of the property that make it not possible to comply with the setback requirement for an SSTS from Cantlin Lake and not economic consideration.

- E. That the granting of the variance will not alter the essential character of the neighborhood in which the parcel of land is located.

Finding: The properties surrounding the subject site are similar in dimension to the subject site and developed with single family dwellings utilizing SSTS for sewage treatment. Approval of the variance will not alter the character of the area in which the subject site is located.

- F. That the requested variance is the minimum action required to remedy the practical difficulty.

Finding: The proposed location of the SSTS is setback the greatest distance possible from the existing well within the same lot while complying with other applicable setback requirements.

- G. The potential for the variance to impact natural resources such as surface water, groundwater, or wetlands; sites identified for rare biological species habitat; ecologically sensitive areas; or historically significant areas.

Finding: The proposed location of the SSTS will not cause impacts to natural resources.

- H. No variance shall be granted that would allow for a lesser degree of flood protection than required by this ordinance.

Finding: Approval of the variance will not allow for a lesser degree of flood protection.

- I. Variances shall not be approved for any use that is not allowed under this ordinance for property in the zoning district in which the parcel or lot is located.

Finding: The existing single family dwelling is an allowed use within the zoning district established for the subject site by the Zoning Ordinance.

6. The planning report dated 22 February 2024 prepared by the Town Planner, The Planning Company LLC, is incorporated herein.
7. The Planning Commission conducted a public hearing at their meeting on 28 February 2024 to consider the application, preceded by published and mailed notice; based upon review of the application and evidence received, the public hearing was closed and the Planning Commission voted to recommended that the Town Board approve the request based on the aforementioned findings.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning Commission recommends that the request be **APPROVED**, subject to the following conditions:

1. Installation of the SSTS shall be installed in accordance with Chapter 4 of the Building Ordinance subject to review and approval of the Building Official except as modified by the variance.

ADOPTED by the Planning Commission of Baldwin Township this 28th day of February, 2024.

MOTION BY:

SECOND BY:

ALL IN FAVOR:

THOSE OPPOSED:

BALDWIN TOWNSHIP PLANNING COMMISSION

BY: _____
Clarence Mattson, Chair

