

COUNTERPOINT

To land-use story, several things to add

- Crow Wing County has made many innovations that protect the watershed.

By TIMOTHY J. HOULE

Ample heat but little light was generated by the Star Tribune's recent story on land-use variances in Cass and Crow Wing counties ("Losing our lakes," June 20).

Short shrift was given to the fact that variances are rare and that requesting them is a right of all property owners under state law, in accordance with both the Minnesota and U.S. constitutions. Moreover, Crow Wing County variance approval rates actually have changed little since 2005. This is remarkable given the Minnesota Supreme Court's watershed ruling in July 2008 substantially lessening the legal standard property owners must meet to receive a variance.

However, many things in Crow Wing County have changed since 2008, when the board of commissioners combined five departments into a single Land Services Department. More communication with citizens about land-use rules, consistent and transparent application of policies and procedures no matter who you are, and a commitment to excellent customer service in helping landowners do what's right are now being achieved. A quick list of some specific innovations includes:

- **Site visits before permits are issued:** Rather than granting land-use permits at the front counter without anyone ever looking at the property, specialists now go to the site, meet with property owners and look at the proposed use before granting a permit. Frequently these preapproval site visits create agreed-upon modifications to original plans that are better for the environment. Potential violations are prevented, and existing problems can be addressed and resolved cooperatively.

The vast majority of property owners want to do the right thing, but many don't know the rules or don't realize how their actions might harm the environment. We help them understand that, and our lakes benefit.

Those of us who call the Brainerd lakes area home know the value of our environment.

- **Effective enforcement:** Our commitment to working cooperatively with landowners doesn't mean we will hesitate to use the long arm of the law when necessary. If voluntary compliance can't be achieved, we will prosecute land-use violations aggressively. In 2008, we had one land-use enforcement officer countywide. Now we have three. In the last two years, we have successfully prosecuted 11 land-use violations, and additional cases are before the court.

- **Site-specific storm-water management:** Managing storm-water runoff is one of the most important things lakeshore owners can do to protect a lake, and it often is simple and inexpensive. Prior to 2008, Crow Wing County had no program addressing storm-water management prior to issuing land-use permits on lakeshore. Now our specialists work with each applicant to create plans tailored to individual properties — with follow-up services through a partnership with the University of Minnesota Extension Service.

- **Following up on permits:** All land-use permits issued on lakes are followed up within a year to ensure that the construction was performed in accordance with the permit. This used to be the exception. Now it's the rule.

- **Bringing all levels of government to the table:** Perhaps the most significant improvement is the creation of a development review process that did not exist prior to 2008. Applicants for zoning changes, conditional-use permits and variances must now meet with county staff, relevant state agency staff and local township officials prior to submitting an application. Imagine that! All the various land-use regulatory folks sitting down with the applicant to discuss the rules and the proposed land use prior to moving forward. The result is better protection of our lakes.

There are more improvements that Crow Wing County has made — like environmental fact sheets and FAQs on our website at www.co.crow-wing.mn.us — and significant innovations that we are planning. We are working with our counterparts in Cass County and with municipalities and townships to create common rules regardless of lines on a map. Those of us who call the Brainerd lakes area home know the precious value of our lakes and natural environment — that's why we chose to live here. Crow Wing County is firmly committed to a standard of excellence in protecting these resources.

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