

**TOWN OF SILVER CREEK  
 LAND USE APPLICATION**

Permit #: \_\_\_\_\_

**PLEASE COMPLETE IN INK**

**A. GENERAL INFORMATION**

Applicant's Name		Authorizing Agent (if applicable)	
Mailing Address (Street RFD, Box Number, City, State, Zip Code)		Location address (if different from mailing address)	
Day Phone	Property ID# (located on tax statement, required)	North Shore Management Zone ____ yes ____ no	

**B. PROPERTY DESCRIPTION**

Legal Description	Qtr/Qtr	Section	Township	Range	Gov Lot#
Lake/River	Access Road	Acreage		Erosion Hazard Area	
Lot Dimensions: Width _____ Ft. Depth _____ Ft. Area _____ Sq. Ft.	Wetlands Present ____ yes ____ no		Bluff Present ____ yes ____ no		Shoreland ____ yes ____ no
Existing Land Use					

**C. PROJECT DATA**

<b>Type of Project:</b> _____ New Construction _____ Addition _____ Relocation _____ Other _____	<b>Type of Land Alteration:</b> _____ Grade/Fill _____ Road/Driveway _____ Vegetation Removal _____ Other _____
<b>If Type of Project, go on to Section D, skip E.</b>	<b>If Type of Land Alteration, skip D, go on to Section E.</b>

**D. DIMENSIONS OF PROPOSED BUILDING(S) OR ADDITION(S)**

Type of building _____ Dimension: _____ Ft. x _____ Ft. Height: _____ Ft. # Stories _____ Elevation above water level: _____ Ft.	Type of building _____ Dimension: _____ Ft. x _____ Ft. Height: _____ Ft. # Stories _____ Elevation above water level: _____ Ft.	Type of building _____ Dimension: _____ Ft. x _____ Ft. Height: _____ Ft. # Stories _____ Elevation above water level: _____ Ft.
<b><u>Proposed Setbacks</u></b>		
Side yard Setback (nearest): _____ Ft.	Front yard Setbacks _____ Ft.	Shoreland:
Side yard Setback (farthest): _____ Ft.	Road Right-of-way _____ Ft.	Water's edge _____ Ft.
Rear yard Setback: _____ Ft.	Road Centerline _____ Ft.	Vegetation line _____ Ft.

**COMPLETE REVERSE SIDE**

**E. Land Alteration Data**

Project Purpose: <input type="checkbox"/> Clear Land <input type="checkbox"/> Road/Driveway <input type="checkbox"/> Fill in wetland <input type="checkbox"/> Other _____	Project Scope: Area of Undisturbed Ground in [_____]sq. ft., [_____] acres: = _____ Volume of fill in cu. Yards: = _____ Closest Distance to Ordinary High Water Level (ft.): = _____
Please provide a description of your plans:   	

**F. SEWAGE DISPOSAL**

Check one: <input type="checkbox"/> New System <input type="checkbox"/> Existing System <input type="checkbox"/> Not Applicable*  *Not Applicable means there are and will be <b>no</b> structures with <b>plumbing</b> on the property.  Exemption Certificate signed: ___yes ___no	Septic Permit # _____  Year Installed: _____  Name of property owner at time of septic installation _____
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**G. Applicant Signature**

I hereby certify that I am the owner or authorized agent of the owner of the above property and that all uses will conform with existing State Laws and local ordinances. I further certify that I will comply with all conditions placed upon this permit should this application be approved. Intentional or unintentional falsifications of this application or any attachments thereto will serve to make this application and any resultant permit invalid. I agree to provide erosion control measure including, but not limited to mulch and silt fencing in accordance with Best Management Practices.	_____ Owner or Agent Name (print)
_____ <b>DATE</b>	_____ <b>SIGNATURE OF OWNER OR AGENT</b>

**H. Sketch Plan** (All applicants, fill out sketch plan on attached Form H)  
**Application is incomplete without adequate sketch plan.**

Office Use Only:		
Permit #:	Zone District:	Fee Paid:
Date of Issue:	Issued by:	Receipt #:

Remarks:

**THIS PERMIT EXPIRES ONE YEAR AFTER DATE OF ISSUE**

**SKETCH PLAN**

The purpose of the sketch is to graphically illustrate the information included in your application. Please include the dimensions of **all** structures (present and proposed), wells, septic systems, and distances to property lines, roadways, lakes, rivers and streams. The following items **must** be included and listed in the boxes below:

Location of

- wetlands
- bluff
- driveway
- access road (labeled)
- all structures on the property

Location of

- areas of vegetation removal and grading
- property lines (size and shape of parcel)
- well/septic system & expansion  
(yours and neighbors)

Distance to

- road centerline
- shoreline or rear yard
- side property lines
- well, septic & drain fields

Name of

- abutting property owners
- adjacent roads

**\*Provide a North Directional Arrow\***

**\*\*This application will be returned without adequate sketch plan and/or incomplete setback distances.\*\***

**\*\*\*All proposed structures and/or driveways must be corner staked at the construction site.\*\*\***

**COMPLETE SECTION D (STRUCTURE SETBACKS)  
APPLICATION CONSIDERED INCOMPLETE WITHOUT THESE SETBACKS**

# LAND USE PERMIT APPLICATION INSTRUCTION SHEET

The Land Use Permit application must be carefully completed according to the following instructions. Please complete in ink or type. The appropriate fee must accompany the application. Refer to the top of the application for applicable fees. Make the check payable to Town of Silver Creek. Applications must be signed by applicant and contractor (if applicable) to be considered complete. **Incomplete applications will be returned.**

Property owners must allow time for processing prior to starting construction. Permit applications may be delivered in person, or mailed. The Town of Silver Creek will make every attempt to process this application within ten (10) business days of receipt. **The Permit placard must be conspicuously posted.**

## **CONTRACTOR LIABILITY/LANDOWNER STATEMENT**

Permit applications submitted for grading, filling, or soil excavation shall require the signature of the contractor/agent, as well as the property owner.

### **A. GENERAL PROPERTY INFORMATION**

**Property Owner information:** name, mailing address, and phone number of property owner.

**Property Address:** List only if the physical address of the property is not the mailing address. If no address has been assigned, give directions to site.

**Authorized Agent or Contractor:** If applicable, list the authorized agent or the contractor. Check box if the permit should go to the agent or contractor.

**Property ID #:** Eleven digit number (ie, 12-1234-12345) that can be found on your tax statement. **This is required for a complete application.**

**North Shore Management Zone:** (NSMZ) An area boundary defined along the forty (40) acre subdivision lines of the rectangular coordinate system established in the U.S. Public Land Survey, nearest to the landward side of a line one thousand (1000) feet from the shoreline of Lake Superior or three hundred (300) feet landward from the centerline of U.S. Highway 61, whichever is greater, with the exception that from the western limits of Lake County to the western limits of the City of Two Harbors the boundary is the centerline of the southbound lane of the U.S. Highway 61 Expressway.

### **B. PROPERTY DESCRIPTION**

**Legal description** of the property must be complete, including as applicable: Section, Township, Range, Township name and Acreage as it is given on the title or tax statement. Include the complete legal description. If lengthy, the legal description can be attached on a separate sheet.

**Lake or river name:** If the property is within 1000 feet of a lake or within 300 feet of a river.

**Access Road:** List the main (County, State, Township) road that provides access to your property.

**Lot Dimensions:** Lot width and depth in feet, taken at the property line.

**Existing use:** Describe structures or other physical improvements currently on the property and the nature of their use.

- ✓ **Property Land Features:** Please check all that apply to your property.
- ✓ **Lake Superior Erosion Hazard Areas** and if bank stabilization has occurred. Maps are available for viewing.
- ✓ **Shoreland/Shoreland zone** – The North Shore Management Zone and any property within 1000 feet of a lake or 300 feet of a river.

- ✓ **Lake /River frontage** - bordering/or including a stream, river or lake on property, even though that might not be where you are intending to build. **Indicate** how many feet of shoreland frontage is on your property.
- ✓ **Wetland** - if present on the property, indicate amount of impact in section E and show wetlands on your sketch.
- ✓ **Bluff** - if present on the property, indicate on sketch and setback achieved. A bluff is defined as a topographic feature such as a hill, cliff, or embankment having all of the following characteristics: part or all of the feature is located in a shoreland area; the slope rises at least twenty-five (25) feet above the ordinary high water level of the waterbody; the grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the ordinary high water level averages thirty percent (30%) or greater; and the slope must drain toward the waterbody. An area with an average slope of less than eighteen percent (18%) over a distance of fifty (50) feet or more shall not be considered part of the bluff.

### **C. PROJECT DATA**

- ✓ **New construction, addition, or relocation** of any structure, if applicable.
- ✓ **Grade/Fill:** Indicate the amount/area of fill to be placed and distance to vegetation line. If this is being done by a qualified contractor (we have a list), they can help you. **Caution**, in most cases added permitting is required.
- ✓ **Vegetation Removal** - Indicate whether vegetation removal will occur and provide information on sketch. (Shoreland areas require special considerations and disturbances within 50 feet of shoreland are severely restricted.)
- ✓ **Road/Driveway** - Indicate length in feet of driveway to be placed. **An access permit is generally required.** Contact the appropriate road authority (Highway Department-834-8380, or MN DOT-834-4442 or Township 834-5255).

**Type of Structure:** Indicate type of structure(s) to be placed, the proposed use of the structure, and dimensions of each structure.

### **D. DIMENSIONS OF PROPOSED BUILDING(S) OF ADDITIONS**

#### **Proposed Setbacks (all setbacks are measured horizontally)**

- ✓ **Nearest side setback** measurement is the closest distance from the side property line to your proposal. In the instance of an addition, the measurement that should be given is the closest point of the structure to the property line, whether it is new or existing.
- ✓ **Farthest side setback** measurement is the longer distance to the side property line from your proposed or existing structure.
- ✓ **Rear yard setback** is the distance from the proposal to the property lines opposite the road or opposite the lake if in shoreland.
- ✓ **Front yard setbacks**
- ✓ **Road setbacks** – The right-of-way distance is the measurement from the right-of-way to the proposal. The road centerline is the measurement from the center of the road to the proposal.
- ✓ **Shoreland setback** is the **horizontal distance** measured at the closest point of the proposal to the vegetation line and to water's edge.

### **E. LAND ALTERATION DATA**

### **F. SEWAGE DISPOSAL/SEPTIC INFORMATION & WELL**

**Sanitary Districts:** Check if in the Castle Danger Sewer Service Area or if in a CD Non-Service Area. If in a Service Area, a Customer Service Application must be submitted and reviewed by the Licensed Sewer Operator, and/or Town Engineer, prior to, or in conjunction with, a Land Use Application.

**For new home construction, where a connection has never been made to the sewer system, a Sewer Extension Permit is required through the MPCA, and this will result in an extended period of time for an approval.**

**Septic Systems:** Check appropriate box indicating the status of the current septic system, indicate permit number, year installed, size (bedrooms) of system, and the name of property owner at the time of septic installation.

### **G. APPLICANT SIGNATURE**

### **H. SKETCH PLAN**

All structures on the property must be included on your sketch. Label all distances and dimensions as measured in feet, identifying neighboring owners, their wells, and sewer locations. Refer to the attached sample sketch and provide a North Directional Arrow.

**REMEMBER TO SIGN THE APPLICATION, STAKE THE PROPOSED PROJECT, and ATTACH APPROPRIATE FEES.**

**INCOMPLETE APPLICATIONS WILL BE RETURNED.**

**If you have questions, please contact the Clerk of the Town of Silver Creek at (218)834-5255**

## Land Use Fee Schedule

Effective May 1, 2007

<u>Type of Permit</u>	<u>Fee</u>	<u>After the fact</u>
Land use		
Dwelling/principal structure	\$100	\$400
All other structures	\$25 each	\$400
Conditional use*	\$200	\$800
Variance*	\$200	\$800
Rezone*	\$300	
Castle Danger sewer hookup application	\$550	
Site evaluation	\$100	

\*Plus applicable recording fees. Contact Lake County Recorder's office for the total cost of recording fees.

**Soil Disturbance Thresholds:**

- A) **Shore Impact Zones (within 50 feet of vegetation line), Bluff Impact Zones (within 20 feet of top of bluff) and Steep Slopes:**
- 1) Under 10 cubic yards - no permit required.
  - 2) Ten to 50 cubic yards - Land Use Permit required.
  - 3) More than 50 cubic yards - Applications shall not be considered complete until plans approved by the Hydrology Technical Committee are submitted.
- B) **Shoreland (within 300 feet of a protected water stream or 1000 feet of a lake or within the North Shore Management Zone):**
- 1) Less than 50 cubic yards - No permit required.
  - 2) Fifty (50) to 500 cubic yards of material - Land Use Permit required.
  - 3) More than 500 cubic yards - Applications shall not be considered complete until plans approved by the Hydrology Technical Committee are submitted.
  - 4) Wetlands disturbances in shoreland zones are limited to 400 square feet and then only with a permit. Activities above this threshold require special handling from the Land Use Office, (see also Article 8.0 of this Ordinance).
  - 5) In the North Shore Management Zone an erosion and sediment control plan must be submitted under the following circumstances:
    - a) For land disturbances exceeding one thousand (1,000) square feet or one hundred (100) cubic yards.
    - b) For fill exceeding one thousand (1,000) cubic yards.
    - c) For any shoreland alteration exceeding fifty (50) cubic yards within the structure setback area. Shoreland alterations done in connection with work authorized by a building or sewage disposal permit shall be exempt from the erosion control plan requirements.
- C) **Non-Shoreland (The remainder of the County):**
- 1) Less than 100 cubic yards - No permit required.
  - 2) One hundred (100) to 1000 cubic yards-Land Use Permit required.
  - 3) More than 1000 cubic yards - Applications shall not be considered complete until plans approved by the Hydrology Technical Committee are submitted.
  - 4) Wetland disturbances are limited to 10,000 square feet and then only with a permit. Activities above this threshold require special handling from the Land Use Office, (see also Article 8 of this Ordinance).

# SUPPLEMENTAL DATA FOR LAND USE PERMITS

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## A. PLANNING CHECKLIST *(required for all permits):*

Any property within 1,000 feet of a lake or 300 feet of a river, stream or flowage is considered Shoreland.

YES / NO / UNKNOWN

1. Are you aware of your zoning district setback requirements? .....

*Note: Setback distances are taken from any projection of the building (i.e. overhangs, eaves, decks, etc.)*

2. Will zoning district impervious surface requirements be met? .....

*Note: Maximum impervious surface coverage varies depending on the zoning district*

3. Has the location of the well, sewage treatment area, future buildings, driveways, and decks been considered?.....

4. Are commercial structures being considered on the site?  
.....

5. If your property is in shoreland, does any topographic feature meet the definition of a bluff?

BLUFF: Defined as a slope (hill, cliff, or embankment) rising 25 ft. or greater above the ordinary high water level of the waterbody and the grade of the slope from the toe of the bluff to a point 25 ft or more above the high water level averages 30% or greater *(If yes, complete Section C on the back of this form).*

6. Are there any lowlands or wetlands on or near the project site?  
.....

*(If yes, complete Section C on the back of this form)*

7. Will wetland grading or filling occur with this project? .....

*(If yes, complete Section C on the back of this form)*

8. Is grading and filling or vegetation removal proposed in the Shore Impact Zone (within 50' of the shoreline)? .....

*(If yes, complete Section C on the back of this form)*

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## B. SITE INFORMATION *(required for all permits):*

**\*\*All proposed structures must be corner staked.\*\***

**\*\*Proposed driveways must be flagged at the driveway centerline.\*\***

**(Failure to stake the proposed structure or flag the proposed driveway may delay the processing of this application.)**

**Random site visits are completed to check placement of proposed structures and driveways.**

Daytime Contact Number: \_\_\_\_\_

Property Address: \_\_\_\_\_

PROPERTY OWNER SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

If you have any questions please contact the Planning and Zoning office at (218) 834-5255

Ordinances are available online at [www.ttosc.org](http://www.ttosc.org)

**WE LOOK FORWARD TO WORKING WITH YOU**

**If unknown is checked on any of the above questions, expect delays in the processing of this application.**



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**C. NATURAL LANDSCAPE PROTECTION PLAN:**

*(Complete this section if you were directed to in Section A OR if you are working within 1,000 feet of a lake or 300 feet of any river, stream or flowage.)*

1. Description of proposed construction: \_\_\_\_\_  
\_\_\_\_\_

2. Describe the existing vegetative cover type(s). (i.e. forested, grass, shrub, lawn, etc.)? \_\_\_\_\_  
\_\_\_\_\_

3. Setback of proposed construction from the vegetation line (ie. lakes, streams, rivers, creeks, etc.)? \_\_\_\_\_  
\_\_\_\_\_

4. Height of lowest floor (including basement) above the ordinary high water level?  
\_\_\_\_\_

5. Describe activities that will occur within the Shore Impact Zone and/or the Shoreland Zone (ie. grading and filling, clearing of trees & shrubs, soil disturbance)  
\_\_\_\_\_  
\_\_\_\_\_

6. What percent slope of the land currently exists at the construction site? \_\_\_\_\_

7. If the construction site or driveway contains steep slopes, how will they be protected? (no land/soil disturbance permitted on slopes 18% or greater)  
\_\_\_\_\_  
\_\_\_\_\_

8. What methods will be used to control erosion during construction and following construction?  
Check all that apply.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> seed/mulch      | <input type="checkbox"/> water bars       | <input type="checkbox"/> other (please explain) _____ |
| <input type="checkbox"/> rip-rap         | <input type="checkbox"/> silt fence       | _____   |
| <input type="checkbox"/> rock check dams | <input type="checkbox"/> erosion blankets | _____   |

*I have read the above and I understand the Natural Landscape Protection Plan as prepared. I hereby agree to implement this plan as part of the Land Use Permit.*

\_\_\_\_\_  
**PROPERTY OWNER SIGNATURE**

\_\_\_\_\_  
**DATE**

**CONTRACTOR RESPONSIBILITY ACKNOWLEDGEMENT  
AND LANDOWNER STATEMENT**

Pursuant to Minnesota Chapter 103G.2212 an agent or employee of another may not drain, fill, or excavate a wetland, wholly or partially, unless the agent or employee has obtained a signed statement from the property owner stating that the wetland replacement plan required for the work has been obtained, or that a replacement plan is not required.

Submit this form with a Land Use Permit Application for soil disturbing activities and access development. Minor road and driveway maintenance, structure placement, or the installation of a sewage treatment system does not require the completion of this form.

Property Owner Name \_\_\_\_\_

Property Address \_\_\_\_\_

Property Legal Description \_\_\_\_\_

Property Owner's Complete Mailing Address  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contractor/Agent Name \_\_\_\_\_

Contractor Address \_\_\_\_\_

Phone \_\_\_\_\_

Description of Work Proposed  
\_\_\_\_\_  
\_\_\_\_\_

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I certify that, as the owner of the property listed on this form, I have contacted Lake County and that a wetland replacement plan:

**(Check appropriate box)**

- has been obtained, or;
- is not required, as the project consists of minor road or driveway maintenance, structure placement, or the installation of a sewage treatment system.

for the work described at the location listed on this form.

**Property Owner Name (print)** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Contractor/Agent Name (print)** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

Return this form with the Land Use Application.