



STATED MINUTES

City of Crosslake Planning and Zoning Commission

March 28, 2014
9:00 A.M.

Crosslake City Hall
37028 County Road 66
Crosslake, MN 56442

1. Present: Aaron Herzog, Chair; Alternate Andy Holm; Alternate Matt Kuker; Joel Knippel; Mark Lafon and Council Member Gary Heacox
2. Absent: Dave Nevin, Scott Johnson
3. Staff: Chris Pence, Crow Wing County Land Services Supervisor, Paul Herkenhoff, Crow Wing County Survey/Planning Coordinator, Sue Maske, Planning Assistant
4. 2014 Election of Officers:
 - 4.1 **Motion by Lafon; supported by Kruker to nominate Herzog for Chair. All members voting “Aye”, Motion carried.**
 - 4.2 **Motion by Herzog; supported by Kruker to nominate Nevin for Vice-Chair All members voting “Aye”, Motion carried.**
5. 2-28-14 Minutes & Findings – **Motion by Knippel; supported by Lafon to approve the minutes as written. All members voting “Aye”, Motion carried.**
6. Old Business
 - 6.1 David & Donna Koenig – Variance for lake and road right-of-way setback
7. New Business
 - 7.1 Weller Family Trust – Subdivision of property
 - 7.2 Weller Family Trust & William & Wendy Erie – Amend 2013 Michael Stone-Crosswoods Golf Conditional Use Permit
 - 7.3 Richard & Diane Wright – Variance for lake and side yard setback
 - 7.4 Terry & Barbara Lowe – Variance for bluff setback
 - 7.5 CL Ox, LLC, The Bourbon Room – Variance for road right-of-way setback
8. Adjournment

**David & Donna Koenig
Parcel Number 1412000090CE009**

David Koenig & Dan Whirley, RemWhirl were present. Herkenhoff read the request into the record. Dan Whirley went over the changes to the proposed dwelling and stormwater plan. The Planning & Zoning Office received one (1) letter of support and three (3) letters in opposition for the 2-28-14 meeting. Discussion concerned 2-17-14 & 3-27-14 on-sites; impervious coverage of 10.4%; stormwater plan; connecting to city sewer; relocating the driveway; size of the proposed berm; size of the existing recreation area; setting a precedence for future applications and a no mow buffer along the lake.

March 28, 2014 Action:

Motion by Kuker; supported by Knippel to approve the variance for:

- 1. Lake setback of 57 feet where 75 feet is required to the proposed deck**
- 2. Lake setback of 69 feet where 75 feet is required from the east shore of Daggett Lake to the proposed dwelling**
- 3. Lake setback of 67 feet where 75 feet is required from the west shore of Daggett Lake to the proposed dwelling**
- 4. Lake setback of 70 feet where 75 feet is required from the north shore of Daggett Lake to the proposed dwelling**
- 5. Road Right-of-Way setback of 24 feet where 35 feet is required to the proposed dwelling**

To construct:

- 3,478 square foot two-story dwelling including garage**
- 548 square foot upper deck**

Per the findings of fact as discussed, the on-sites conducted on 2-17-14 & 3-27-14 and as shown on the revised certificate of survey received at the Planning & Zoning dated 3-12-14 located in part of Outlot C, Cross Lake Shore and Daggett Brook, Sec 16, City of Crosslake Conditions:

- 1. The stormwater plan prepared by RemWhirl dated 3-13-14 be implemented**
- 2. The shoreline is to be left natural except for the existing 15 foot access to the recreation area**
- 3. The berm is to be a minimum of 18 inches in height**
- 4. The property must be connected to city sewer**
- 5. The recreational use area is not to be expanded**

Findings: See attached

All members voting “Aye”, Motion carried.

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**Weller Family Revocable Living Trust
12016440000009**

The applicant was present. Herkenhoff read the request into the record. A statement dated 3-21-14 from the Crow Wing County Highway Department stated the highway department has no concerns with the subdividing of the property for the purpose of selling the parcel south of CSAH 3 to Crosswoods Golf Course. Discussion concerned surrounding zoning and the proposed improvements to County Road 3.

March 28, 2013 Action:

Motion by Lafon; supported by Knippel to recommend to the Crosslake City Council to approve the subdivision of parcel #12016440000009 for the property lying south of County Road 3 involving approximately 1.54 located in part of the SE1/4 of SE1/4, Sec 15, City of Crosslake

Findings: See attached

All members voting "Aye", Motion carried.

**Weller Family Revocable Living Trust
William & Wendy Erie
12016440000009, 120153300BA0009**

Michael Stone represented the applicants. Herkenhoff read the request into the record. A statement dated 3-21-14 from the Crow Wing County Highway Department stated the highway department asked will there be a golf cart/walking path from the parking lot to the crosswalk and is the overflow parking location and access of off CSAH 3 still in the same proposed location. Mr. Stone asked the board for their endorsement on asking the City Council for partial reimbursement of the \$500.00 fee he paid when he applied for the amendment to the Conditional Use Permit. Discussion concerned the agreement prepared by Attorney, Brad Person; previous amended 2013 Conditional Use Permit for Crosswoods Golf Course and the maintenance plan for the golf course.

March 28, 2014 Action:

Motion by Lafon; supported by Knippel to approve the amendment to the 2013 Conditional Use Permit:

- **To include part of parcel numbers 120153300BA0009 & part of 12016440000009 for the 9 hole expansion of Crosswoods Golf Course**
- **To allow dirt moving for a maintenance plan for the entire Crosswoods Golf Course not to exceed 5,700 cubic yards.**

Findings: Same as the December 16, 2013 approved Conditional Use Permit Amendment

Conditions: Same as the December 16, 2013 approved Conditional Use Permit Amendment

All members voting “Aye”, Motion carried.

Motion by Lafon; supported by Kuker to recommend to the Crosslake City Council that Michael Stone be reimbursed the \$500.00 fee for the Conditional Use Permit Amendment deducting the notification and publication costs. Staff is to determine what the cost is for notification and publication.

All Members voting “Aye”, Motion carried.

**Richard & Diane Wright
120081205J00009**

Pat Trottier, Stonemark Land Surveying represented the applicant. Herkenhoff read the request into the record. Planning & Zoning received two (2) letters in opposition. Discussion concerned the 3-27-14 on-site; impervious coverage of 22.7%; moving the proposed addition to meet the side yard setback; parking; size of the building envelope; screening along property lines; stormwater plan and size of the existing septic.

March 28, 2014 Action:

Motion by Kuker; supported by Knippel to approve the variance for:

- 1. Lake setback of 49 feet where 75 feet is required to the existing dwelling**
- 2. Lake setback of 62 feet where 75 feet is required to the proposed addition**

And deny the variance for

- 1. Side Yard setback of 8 feet where 10 feet is required to the proposed addition**

To construct:

- 1,033 square foot addition including screen porch**

Per the findings of fact as discussed, the on-site conducted on 3-27-14 and as shown on the certificate of survey received at the Planning & Zoning dated 2-28-14 located in part of Gov. Lots 4 & 5, Sec 08, City of Crosslake

Conditions:

- 1. Stormwater plan is to be submitted to the Planning and Zoning Office**
- 2. Staff is to conduct a Shoreland Rapid Assessment Model in the spring to determine the size of the required no mow buffer along the shoreline as required with the 22.7% impervious coverage**
- 3. The number of bedrooms in the main dwelling cannot exceed three**
- 4. Verify the septic system has enough capacity to accommodate all potential living quarters**

Findings: See attached

All members voting “Aye”, Motion carried.

**CL Ox, LLC – The Bourbon Room
120054308D00009**

Andrew Parizetz was present. Herkenhoff read the request into the record. Mr. Parizetz stated the proposed addition and decking is what is requiring the need for additional parking. A statement dated 3-21, 2014 from the Crow Wing County Highway Department had the following comments/concerns: 1) provide layout of new parking spaces showing ingress/egress movements with existing access off of CSAH 66. The highway department does not see the benefits of adding on to the existing parking lot, 2) winter snow removal – plowing of snow off CSAH 66 by County forces places additional snow on parking lots adjacent to the roadway. Snow removal from the parking lots must be moved away from CSAH 66, 3) no parking along curb on CSAH 66 adjacent to the parking lot. No parking area/yellow curb painting and signing will need to be lengthened, 4) no additional accesses off CSAH 66 will be allowed & 5) if the existing parking lot has to be increased according to zoning, we support paving/parking to the curb and encroaching on the right of way as long as above conditions are met. Mark Melby from Crow Wing County Highway Department went over the concerns he had outlined in his letter dated 3-21-14. Discussion concerned the 3-27-14 on-site; reason for the additional parking; seating capacity in the existing building; number of legal parking spaces; number of additional parking spaces with the proposed lot; whether the parking lot is striped; stormwater plan for the parking lot; impact on the wetlands and Ox Lake; amount of fill required for the parking lot; size of each parking space; size of the existing septic; ordinance requirements for parking spaces; type of barriers used and tabling the application for more information.

March 28, 2014 Action:

Motion by Lafon; supported by Kuker to postpone the application to allow the applicant time to submit additional information to include the following:

- 1. A stormwater/erosion plan**
- 2. Traffic plan to include working with the County Highway Department and the City of Crosslake Police Department**
- 3. Site plan showing existing and proposed parking including handicap parking spaces**
- 4. Evaluation on the septic system to verify it meets the seating capacity of the building**
- 5. Documentation on State Fire Code seating capacity for the business**

Findings: See attached

All members voting “Aye”, Motion carried.

**Terry & Barbara Lowe
142090020070009**

Andy Holm abstained from this application. Andy Holm represented the applicant. Herkenhoff read the request into the record. Discussion concerned the 3-27-14 on-site; impervious coverage of 23.5%; amount of dirt moving involved in the construction; when the existing structure was built; vegetation on the bluff and stormwater plan.

March 28, 2014 Action:

Motion by Lafon; supported by Knippel to approve the variance for:

- 1. Bluff setback of '0' feet where 35 feet is required to the proposed porch**

To construct:

- 203 square foot covered porch**

Per the findings of fact as discussed, the on-site conducted on 3-27-14 and as shown on the certificate of survey received at the Planning & Zoning dated 2-28-14 located on Lot 7, Block 2, White-Island Beach, Sec 06, City of Crosslake

Conditions:

- 1. The proposed porch is to be built on posts to minimize the amount of dirt moving in the bluff**
- 2. Maintain the existing vegetation on the bluff**

Findings: See attached

All members voting "Aye", Motion carried.

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Matters not on the Agenda:

1. Mr. Pence gave the board a copy of the proposed Rules of Business that will be on the 4-25-14 agenda for approval.

Motion by Kuker; supported by Knippel to adjourn at 10:55 A.M.

All members voting “Aye”, Motion carried.

Respectfully yours,

Susan Maske

Susan Maske
Crow Wing County Planning Assistant