



## STATED MINUTES

### City of Crosslake Planning Commission/Board of Adjustment

September 23, 2016  
9:00 A.M.

Crosslake City Hall  
37028 County Road 66  
Crosslake, MN 56442

1. Present: Aaron Herzog, Chair; Dave Nevin, Vice-Chair; Joel Knippel; Mark LaFon; and Council Member Gary Heacox
2. Absent: Matt Kuker
3. Staff: Chris Pence, Crow Wing County Land Services Supervisor and Jon Kolstad, Crosslake Land Services Specialist
4. 8-26-16 Minutes & Findings – **Motion by Nevin; supported by Knippel to approve the minutes & findings as written. All members voting “Aye”, Motion carried.**
5. Old Business
  - 5.1 None
6. New Business
  - 6.1 Gerald Woody – Variance for lake setback, road right-of-way setback, sewage treatment system type and building site lot size
7. Other Business
  - 7.1 Ordinance Revision Discussion
8. Adjournment

**Gerald Woody  
120171202FA0009**

Herzog announced the variance. Kolstad read the variance request, history of the parcel, comment letters received and the history of the surrounding parcels into the record. Pence broke down the variance request and provided a detailed explanation concerning the reasons for the variance. Herzog asked if Woody the owner was present and Woody's representative, Whirley of RemWhirl, stepped up to the podium. Whirley explained his concerns over the setbacks and the structure locations. He also stated he came to the meeting expecting to table the variance and requested a discussion with the commissioners to get feedback as to what could be done on this parcel. Whirley stated some facts and history pertaining to the parcel. Discussion was held on structures, septic system, driveways, non-existing building envelope, along with required setback needs. Herzog opened the public hearing. Stubbs stepped up and announced himself and his address of 13218 County Road 16, one of the neighboring owners, which is very familiar with the property since he once owned the parcel. He stated his concern that with so many variables, if approved it would open up Pandora's Box. Larsen of 13244 County Road 16, property owner to the south, listed some of the accidents which have occurred on the inside of the curb (cars and ATVs) and the safety issues concerning the closeness of the request to the road right-of-way, along with the many variances requested. Larsen stated his personal believe of Crosslake such as: the current ordinance is respectful of the lake, having discusses with the planning and zoning staff pointing out what the variables are then make a decision on what is reasonable and realistic, the applicants site does not offer any building pad and everything is a variance, and specified that this variance application is very aggressive. Herzog closed the public hearing. Whirley talked about setting precedence, with Kolstad explaining past parcel variances that were included in the variance packet. Pence explained that Whirley came for feedback not a decision and what is currently allowed by ordinance on this parcel. Commissioners all agreed that a dwelling was not something they could see approving for this parcel.

**September 23, 2016 Action:**

**Motion by Nevin; supported by Knippel to table the variance for:**

- 1. Building site lot size of 13,286 square feet where 30,000 square feet is required**
- 2. Holding tank where Type 1 sewage treatment system is required**
- 3. Lake setback of 39 feet where 75 feet is required to proposed deck**
- 4. Lake setback of 48 feet where 75 feet is required to proposed dwelling**
- 5. Lake setback of 61 feet where 75 feet is required to proposed garage**
- 6. Lake setback of 55 feet where 75 feet is required to sewage treatment system**
- 7. Road right-of-way setback of 2 feet where 35 feet is required to proposed deck**
- 8. Road right-of-way setback of 1 foot where 35 feet is required to proposed dwelling**
- 9. Road right-of-way setback of 2 feet where 35 feet is required to garage**

**To construct:**

- Building site on nonconforming lot size**
- Holding tank in place of sewage treatment system**
- 958 square foot deck**
- 1040 square foot dwelling**
- 676 square foot garage**

**All members voting "Aye", Motion carried.**

**Crosslake Planning & Zoning  
Ordinance Discussion**

Pence clarified that the publication notice was not correct and that this would be a discussion only. Herzog opened up the discussion on the accessory structure size, quantity per parcel and lot size. Miller stated that 2 acre lots are big enough to allow larger than a 1200 square foot structure and that architectural control with an architectural committee could be put in place. Miller also stated that a pole building structure with a kitchen and bedroom can be built without a square foot limit. Pence suggested the use of a conditional use permit. Whirley clarified that the discussion is about pole buildings versus size and aesthetics; construction type does not matter. Put an architectural guideline in place for accessory structures over 1200 square feet.

**September 23, 2016 Action:**

**Motion by Herzog; supported by Knippel to send Herzog and Nevin to the October City Council meeting to discuss residential architectural standards.**

**All members voting “Aye”, Motion carried.**

**Discussion on lot splits and Minnesota State Statue created in 2009 were held between Planning Commissioners and staff.**

**Matters not on the Agenda:**

1. There were no matters not on the agenda

**Motion by Knippel; supported by LaFon to adjourn at 10:19 A.M.**

**All members voting “Aye”, Motion carried.**

Respectfully yours,

*Cheryl Stuckmayer*

Cheryl Stuckmayer  
Technical/Administrative Specialist