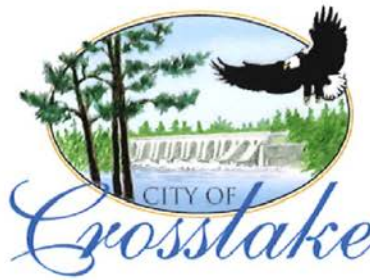


City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



13888 Daggett Bay Rd  
Crosslake, Minnesota 56442  
[www.cityofcrosslake.org](http://www.cityofcrosslake.org)

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## **CITY OF CROSSLAKE**

### **PLANNING COMMISSION/BOARD OF ADJUSTMENT**

August 25, 2023

**9:00 A.M.**

Crosslake City Hall  
13888 Daggett Bay Rd, Crosslake MN 56442  
(218) 692-2689

### **PUBLIC HEARING NOTICE**

**Applicant:** Christine A Greischar Trust

**Authorized Agent:** David L Greischar

**Site Location:** 38141 Anchor Pt Trl, Crosslake, MN 56442

**Variance for:**

- Road right-of-way setback of 24.5 feet where 35 feet is required to proposed garage

**To construct:**

- 1,020 square foot garage

**Notification:** Pursuant to Minnesota Statutes Chapter 462, and the City of Crosslake Zoning Ordinance, you are hereby notified of a public hearing before the City of Crosslake Planning Commission/Board of Adjustment. Property owners have been notified according to MN State Statute 462 & published in the local newspaper. Please share this notice with any of your neighbors who may not have been notified by mail.

**Information:** Copies of the application and all maps, diagrams or documents are available at Crosslake City Hall or by contacting the Crosslake Planning & Zoning staff at 218-692-2689. Please submit your comments in writing including your name and mailing address to Crosslake City Hall or ([crosslakepz@crosslake.net](mailto:crosslakepz@crosslake.net)).



## STAFF REPORT

Property Owner/Applicant: Christine A Greischar Trust

Parcel Number(s): 14050553

Application Submitted: July 10, 2023

Action Deadline: September 7, 2023

City 60 Day Extension Letter sent / Deadline: NA / NA

Applicant Extension Received / Request: NA / NA

City Council Date: NA

**Authorized Agent:** David L Greischar

**Variance for:**

- Road right-of-way setback of 24.5 feet where 35 feet is required to proposed garage

**To construct:**

- 1,020 square foot garage

**Current Zoning:** Shoreland District

**Existing Impervious Coverage:**

16.8%

- A stormwater management plan was submitted on the certificate of survey
- Compliant septic compliance inspection on file dated 5-30-2023

**Proposed Impervious Coverage:**

19.9%

**Parcel History:**

- Enbee Estates Plat established in 1980
- October 1996 – Dwelling and septic system
- June 2001 – three level cedar deck
- June 2010 – Construction of 5' wide paver walkway from the house to the dock. Walkway is more than 75' from OHW
- May 30, 2023 – Compliant septic compliance inspection

**Agencies Notified and Responses Received:**

County Highway Dept: N/A

DNR: No comment received before packet cutoff date

City Engineer: N/A

Lake Association: No comment received before packet cutoff date

Crosslake Public Works: No comment received before packet cutoff date

Crosslake Park, Recreation & Library: N/A

Concerned Parties: Comment(s) received

**POSSIBLE MOTION:**

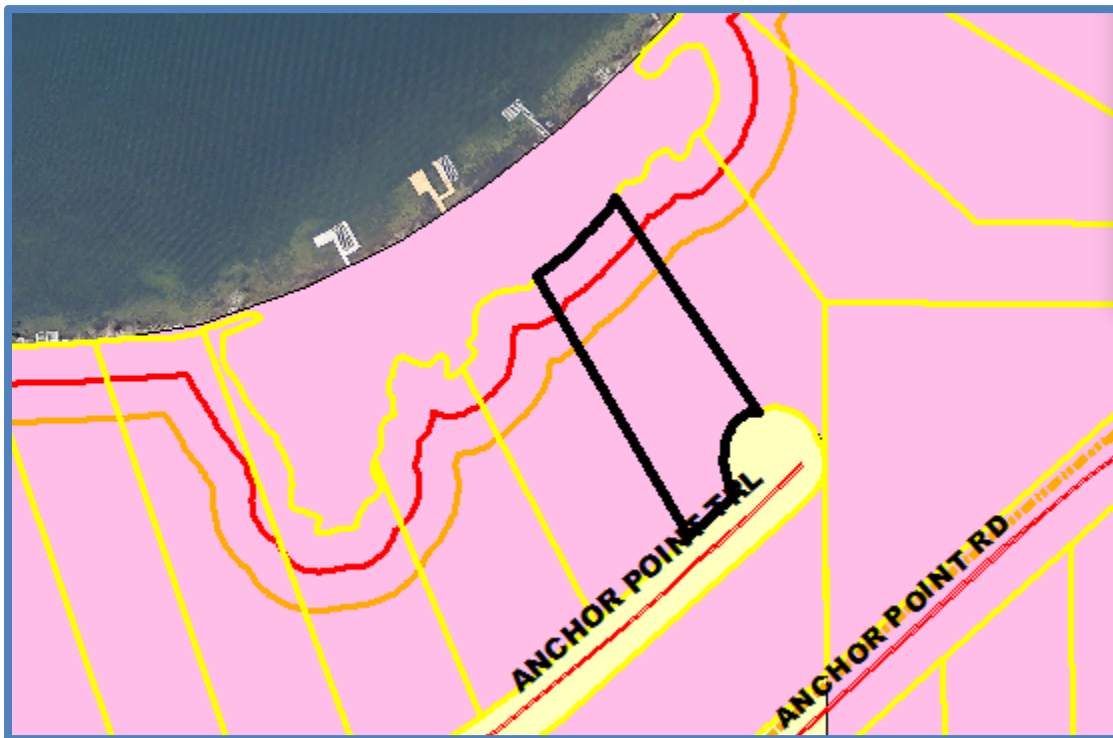
To approve/table/deny the variance to allow:

- Road right-of-way setback of 24.5 feet where 35 feet is required to proposed garage

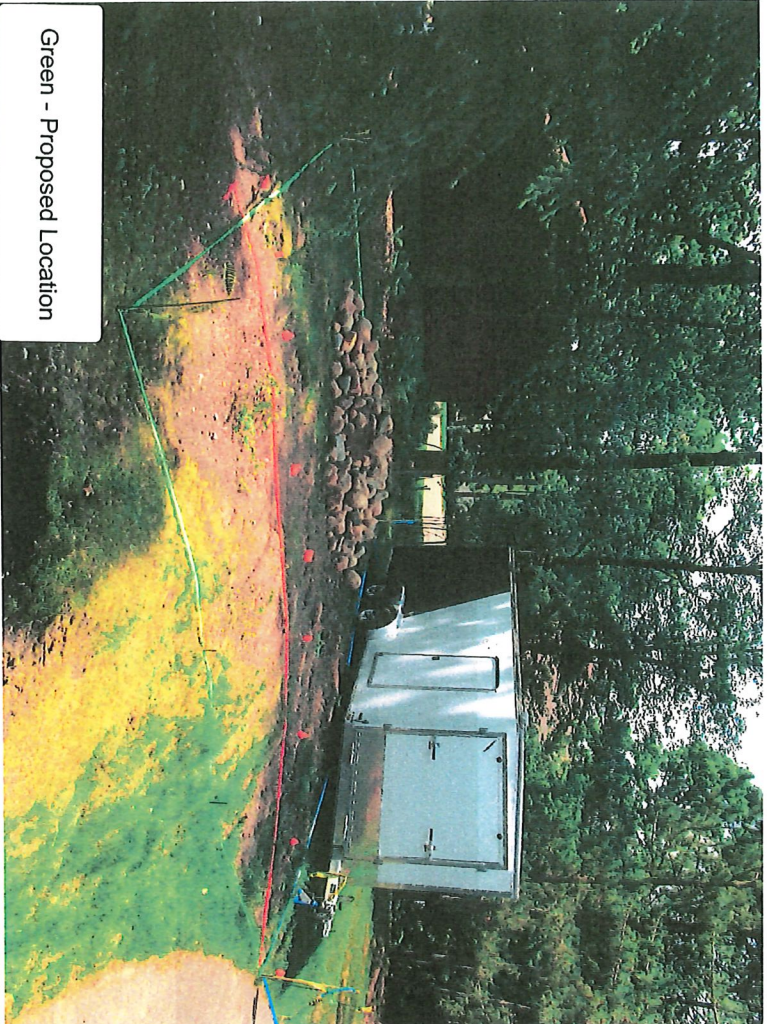
To construct:

- 1,020 square foot garage

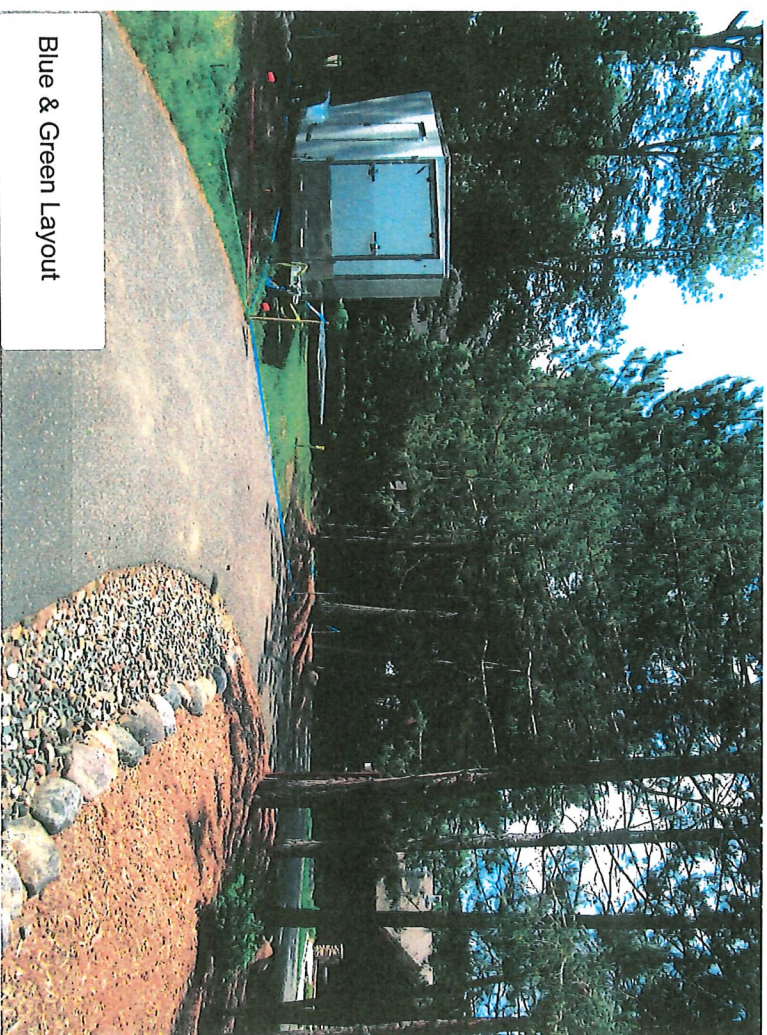
As shown on the certificate of survey dated 7-7-2023



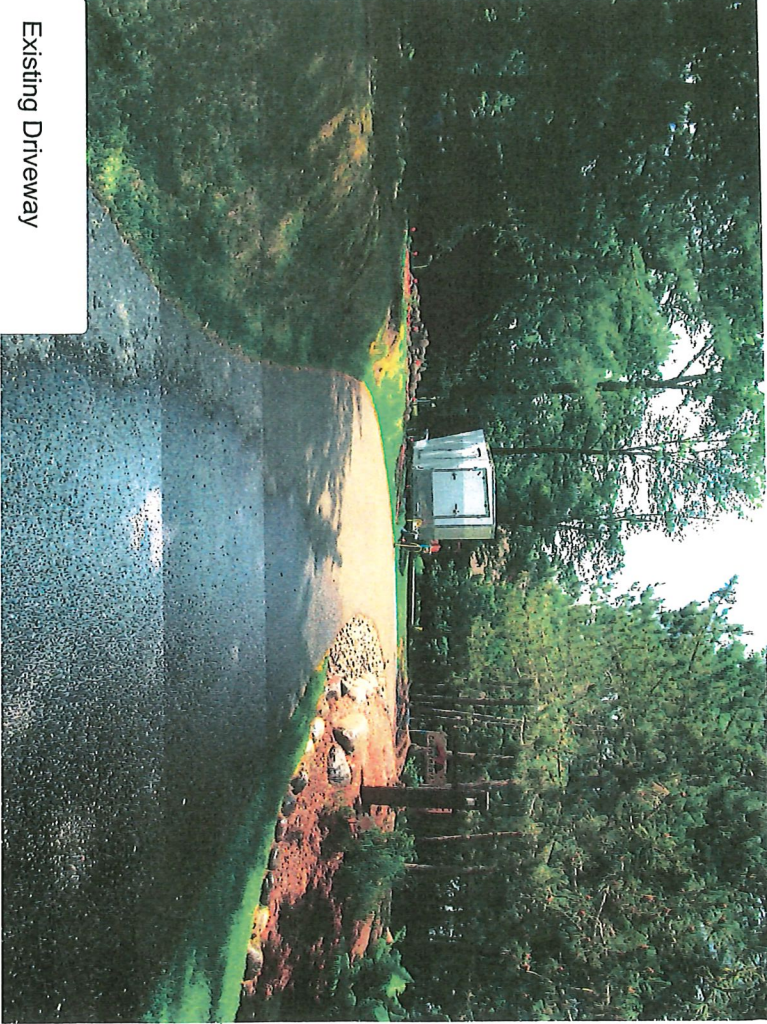




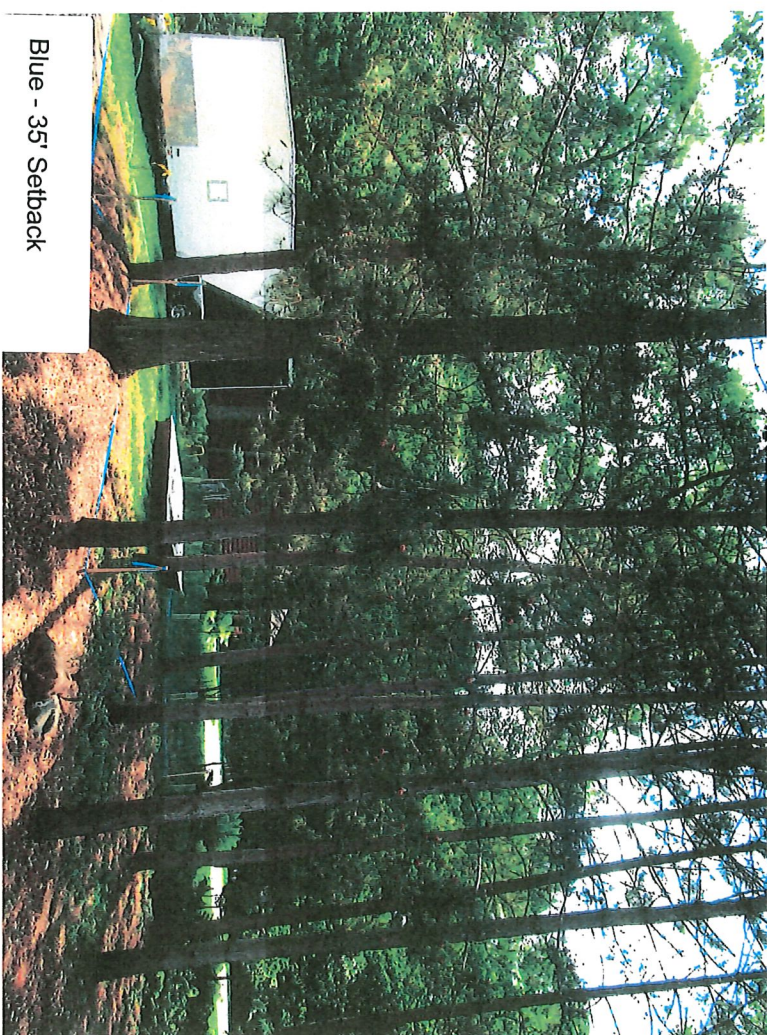
Green - Proposed Location



Blue & Green Layout



Existing Driveway



Blue - 35' Setback



# CERTIFICATE OF SURVEY

**LOT 12, BLOCK ONE, ENBEE ESTATES,  
SECTION 05, TOWNSHIP 137 NORTH, RANGE 27 WEST,  
CROW WING COUNTY, MINNESOTA  
AREA = 39,469 SQ. FT.± / 0.9 ACRES±  
BUILDABLE AREA = 18,581 SQ. FT.**

## ISLAND LAKE

GENERAL DEVELOPMENT CLASSIFICATION  
NORMAL RESERVOIR POOL ELEVATION = 1229.57

100 YEAR FLOOD ELEVATION = 1231.00  
HIGHEST KNOWN ELEVATION = 1234.50

INFORMATION OBTAINED FROM CORPS OF  
ENGINEERS LAKE ELEVATION = 1229.28 ON 6-19-2023  
BASED ON NGVD 29 DATUM















**LEGAL DESCRIPTION PER DOCUMENT NUMBER T-238702**

LOT TWELVE (12) OF BLOCK ONE (1) OF ENBER ESTATES, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CROW WING COUNTY RECORDER IN AND FOR SAID COUNTY, EXCEPT MINERALS AND MINERAL RIGHTS, CROW WING COUNTY, MINNESOTA.

**NOTES:**

1. Contour interval is shown as 2-foot. Based on NHDV 29 datum. Contours shown have been obtained using standard survey topographic methodology. Field located on 6-10-2023.
2. Zoning for subject tract and adjoining tracts is "Shoreland District".
3. There are no inlets within survey of property.
4. Property is in "Zone X" as shown on the map.
5. A: "Zone A" definition: Areas of 100-year flood base elevations and flood hazard factors not determined. "Zone X" definition: Areas of minimal flooding.
6. Wetland/Flood delineation was completed on 6-30-2023, by Ben Meiner, Minister Environmental, LLC. 10N Certified Wetland Delineator #110101.
7. Parcel ID Number: 14055533.
8. The EPN1 address of subject parcel: 34141 Andrew Point Road.
9. Sketches as shown can be subject to interpretation. Verification of sketch by the governing body is advised prior to building.
10. Approximate location of septic system per sketch prepared by Amy A. Wumso, Lakes Area Septic, LLC.

### LEGEND

-  EXISTING RETAINING WALL  
 EXISTING EDGE OF EXISTING RETAINING WALL  
 EXISTING EDGE OF EXISTING CLASSIFICATION / EXISTING WALL  
 EXISTING EDGE OF EXISTING WOODEN DECK  
 EXISTING INTERGRADE CONTOURS  
 EXISTING EDGE OF DECK  
 EXISTING FIRST ELEVATION (EXISTING) WALL  
 EXISTING MOUNTED LIGHT  
 EXISTING ELECTRIC METER  
 EXISTING EXISTING WALL  
 EXISTING EXISTING VINYL ELECTRIC CLEARANCE / EXISTING TANK LID  
 EXISTING POINT OF WELL  
 ELEV. = 104.45  
 BASED ON NAVD 83 DATUM  
 EXISTING MONUMENT FOUND  
 EXISTING MONUMENT SET MARKED BY LICENSE NO. 1380

ORIENTATION OF THIS BEARING SYSTEM IS BASED  
ON THE RECORDED PLAT OF ENCISE ESTATES.

**IMPERVIOUS CALCULATIONS**

EXISTING	IMPERVIOUS AREA (sq ft.)	Not Area (sq ft.)	Percent Impervious (sq ft.)
House/Garage	2,591	39,469	6.5%
Hot Tub	58	39,469	0.1%
Flagstone/Fieldstone	1,428	39,469	3.6%
Blumious	2,678	39,469	6.5%
<b>Total</b>	<b>8,643</b>	<b>39,469</b>	<b>18.8%</b>

**IMPERVIOUS CALCULATIONS**

PROPOSED	IMPERVIOUS AREA (sq. ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
House/Garage	2,581	39,469	6.5%
Hot Tub	58	39,469	0.1%
Flagstone/Fieldstone	1,426	39,469	3.6%
Stump(s)	2,578	39,469	6.5%
Proposed Garage	1,020	39,469	2.6%
Proposed Bituminous	206	39,469	0.5%
<b>Total</b>	<b>7,869</b>	<b>39,469</b>	<b>19.9%</b>


### RUN OFF CALCULATIONS

Total Impervious Surface Area (from table above)	7,669 sq. ft.	X	0.0833 ft.	=	638 cu. ft.
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PROPOSED RUN OFF AREA

TOP SURFACE AREA = 145 SQ. FT.  
BOTTOM SURFACE AREA = 43 SQ. FT.  
1' DEEP WITH 3:1 SIDE SLOPES  
TOTAL RUN OFF STORAGE PROPOSED = 94 CU. FT.

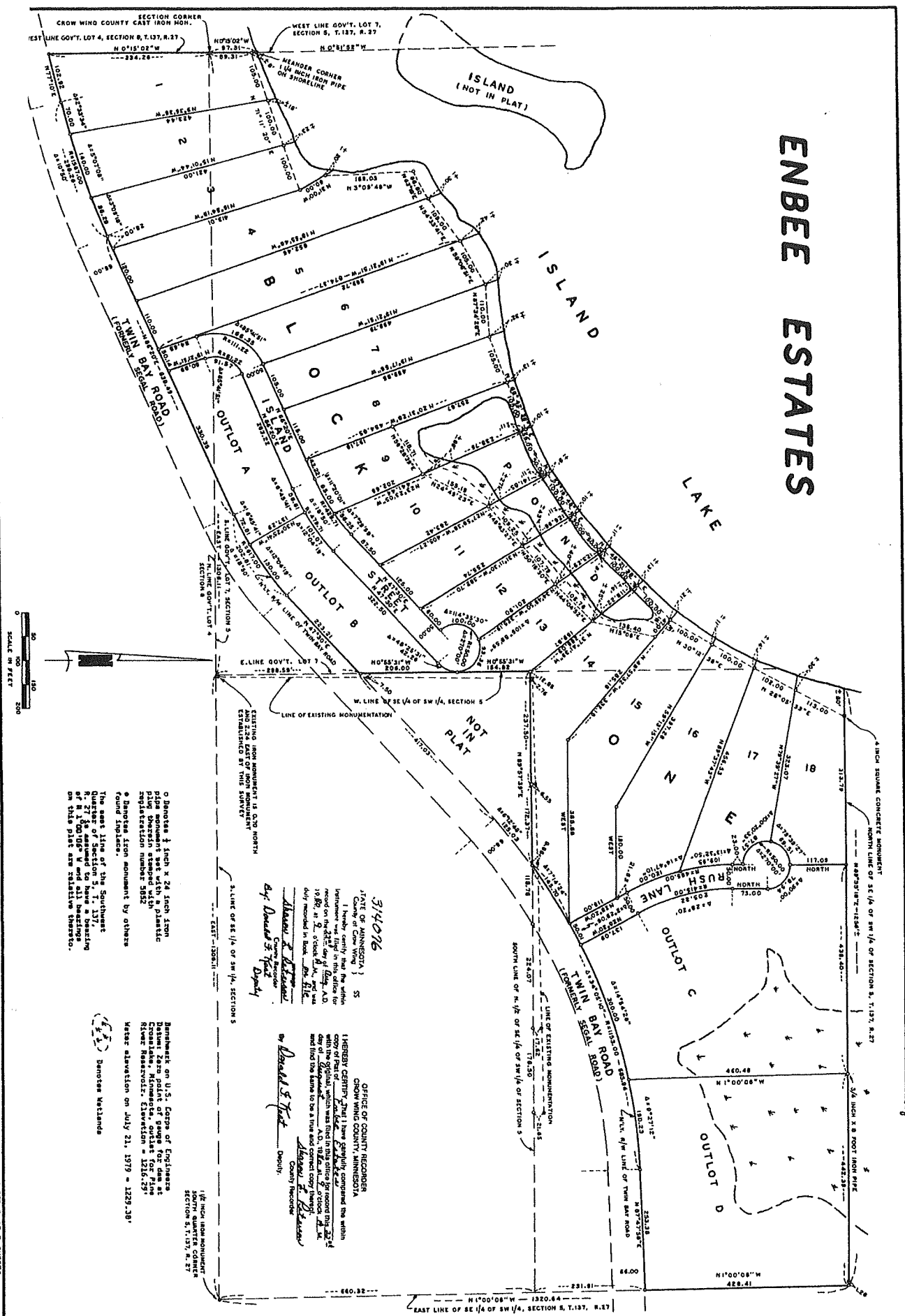
3" DEEP MULCH/ROCK AREA FOR STORMWATER  
RETENTION = 634 CU. FT.

1 of 1	DATE  David Greischer 38141 Anchor Point Trail Crosslake, MN 56442	CERTIFICATE OF SURVEY	PROJECT MANAGER PAT	PROJECT NO. 23125	DATE 7-1-2003	REVISIONS DESCRIPTION	I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	 19056 Eau Claire Road Suite B P.O. Box 874 Pequet Lake, MN 56471 218-548-4940 www.zionssurvey.com
			CHANGED BY PAT	SCALE CAT 1/2 IN = 40 FT	DATE JULY 1, 2003	<i>David Greischer</i> DAVID GREISCHER 7-0-TM-2023-A 41002		

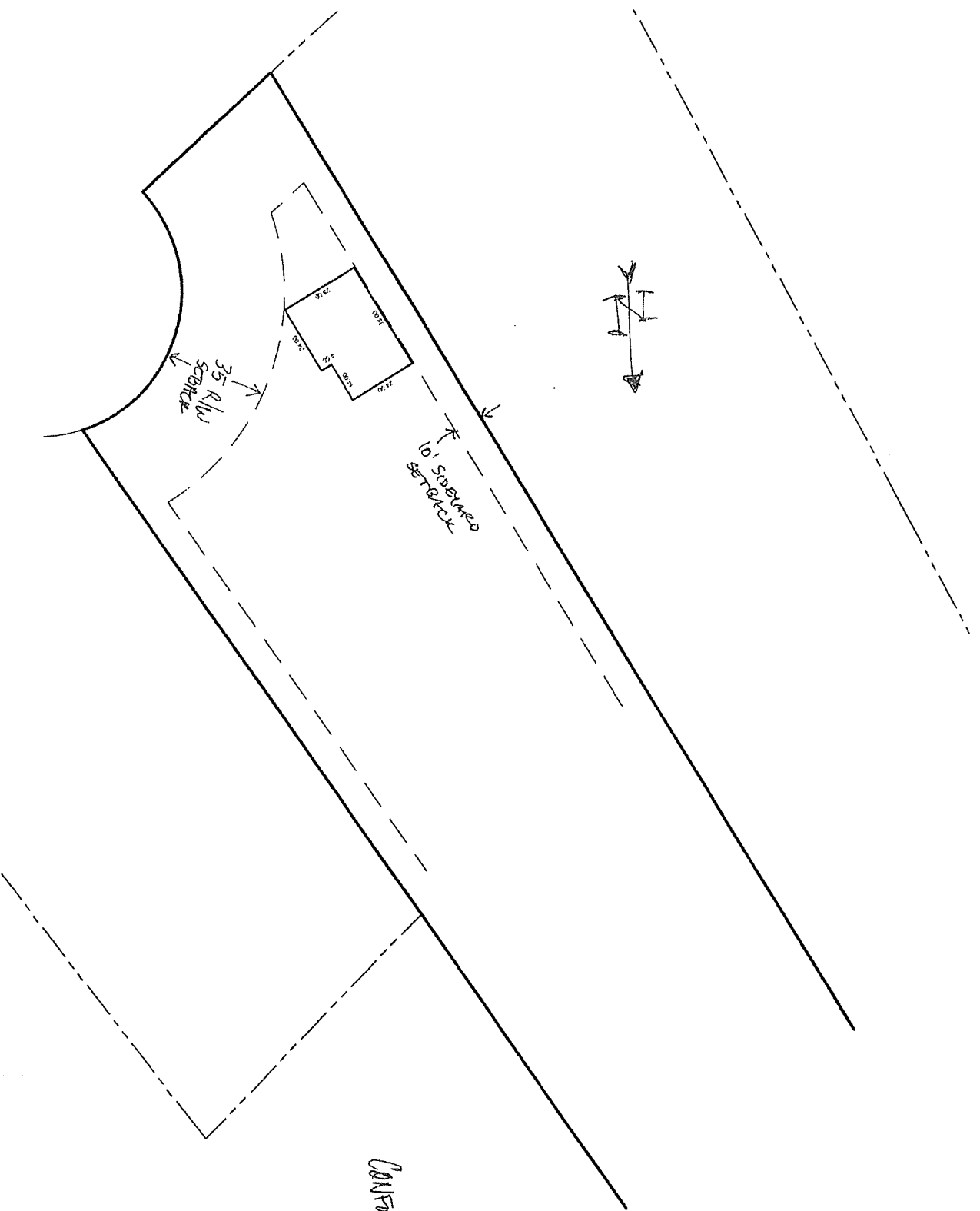




# Plate







CONFORMING STRUCTURE  
"A"

All 35' Setback Conforming

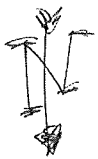
10' SETBACK  
SETBACK

35' R/W  
SETBACK

24.5'

"B"

NON-CONFORMING



Proposed Location 24.5' Setback  
From Cul-De-Sac

July 5, 2023

Planning Commission & City Council,

My property and home is next door to the west of Greischar's.

My property information

Diane M. Lee Revocable Trust

38115 Anchor Point Trail

Crosslake, MN 56442

Parcel Number 14050554

David Greischar has shown me the proposed building plans and site location for the new detached garage. I know it will require a small variance due to the distance to the road right-a-way from the Cul-de-Sac being 24.5'. This is where a variance is needed. The requirement is 35'. I also know that from the main street right-a-way, at the closest point to the garage, it is 39'. The requirement is 35'.

I am stating that I am agreeable to the variance needed for the Greischar garage.

If you have any questions of me, I can be reached at (763) 360-1151.

Thank you,

Diane Lee



Jim Lee





July 5, 2023

City Staff, Planning Commission & City Council,

My property and cabin is two doors down to the west of Greischar's.

My property information

David D. & Nancy W. Anson

38081 Anchor Point Trail

Crosslake, MN 56442

Parcel Number 14050555

David Greischar has shown me the proposed building plans and site location for the new detached garage. I know it will require a small variance due to the distance to the road right-a-way from the Cul-de-Sac being 24.5'. This is where a variance is needed. The requirement is 35'. I also know that from the main street right-a-way, at the closest point to the garage, it is 39'. The requirement is 35'.

I am stating that I am agreeable to the variance needed for the Greischar garage.

If you have any questions of me, I can be reached at (612) 270-5066

Thank you,

  
David Anson

  
Nancy Anson

July 5, 2023

City Staff, Planning Commission & City Council,

My property and cabin is next door to the east of Greischar's.

My property information

Travis & Donnell Krueger

38149 Anchor Point Trail

Crosslake, MN 56442

Parcel Number 14050552

David Greischar has shown me the proposed building plans and site location for the new detached garage. I know it will require a small variance due to the distance to the road right-a-way from the Cul-de-Sac being 24.5'. This is where a variance is needed. The requirement is 35'. I also know that from the main street right-a-way, at the closest point to the garage, it is 39'. The requirement is 35'.

I am stating that I am agreeable to the variance needed for the Greischar garage.

If you have any questions of me, I can be reached at (612) 810-8626.

Thank you,

Travis Krueger

Donnell Krueger

July 5, 2023

City Staff, Planning Commission & City Council,

My home and residents is two doors down to the east of Greischar's.

My property information

The Nelson Family Rev. Liv. Trust

13112 Anchor Point Road

Crosslake, MN 56442

Parcel Number 14050551

I am also the owner of the property just across the street to the south of the Greischar's.

Property information

The Nelson Family Rev. Liv. Trust

13112 Anchor Point Road

Crosslake, MN 56442

Parcel Number 14050566

David Greischar has shown me the proposed building plans and site location for the new detached garage. I know it will require a small variance due to the distance to the road right-a-way from the Cul-de-Sac being 24.5'. This is where a variance is needed. The requirement is 35'. I also know that from the main street right-a-way, at the closest point to the garage, it's 39'. The requirement is 35'.

I'm stating that I'm agreeable to the variance needed for the Greischar garage.

If you have any questions of me, I can be reached at (218) 838-8661

Thank you,



Brad Nelson





## Variance Application

Planning and Zoning Department

13888 Daggett Bay Road, Crosslake, MN 56442

218.692.2689 (Phone) 218.692.2687 (Fax) [www.cityofcrosslake.org](http://www.cityofcrosslake.org)

Receipt Number: 771756

Permit Number: 230150V

Property Owner(s): Christine A. Greischar Trust

Mailing Address: 38141 Anchor Point Trail, Crosslake, MN 56442

Site Address: 38141 Anchor Point Trail, Crosslake, MN 56442

Phone Number: Home 218.692.2839 & (David's Cell) 952.913.5166

E-Mail Address: (Chris) chris@g4cm.com & (David) greischar57@gmail.com

Parcel Number(s): 14050553

Legal Description: Lot 12, Block1, Enbee Estates, Crow Wing County, MN

Sec 5 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Island Lake / Whitefish Chain

Do you own land adjacent to this parcel(s)? ☐ Yes ☒ No

If yes list Parcel Number(s) \_\_\_\_\_

Authorized Agent: David L. Greischar

Agent Address: 38141 Anchor Point Trail, Crosslake, MN 56442

Agent Phone Number: Home 218.692.2839 & Cell 952.913.5166

### Variances

(Check applicable requests)

- ☐ Lake/River Setback
- ☒ Road Right-of-Way Setback
- ☐ Bluff Setback
- ☐ Side Yard Setback
- ☐ Wetland Setback
- ☐ Septic Tank Setback
- ☐ Septic Drainfield Setback
- ☐ Impervious Coverage
- ☐ Accessory Structure
- ☐ Building Height
- ☐ Patio Size
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

Signature of Property Owner(s) Christine A. Greischar Date 07/07/23  
Christine A Greischar Trust

Signature of Authorized Agent(s) David L. Greischar Date 07/07/23  
David L. Greischar

- All applications must be accompanied by a signed Certificate of Survey
- Fee \$500 for Residential and Commercial Payable to "City of Crosslake"
- No decisions were made on an applicant's request at the DRT meeting. Submittal of an application after DRT does not constitute approval. Approval or denial of applications is determined by the Planning Commission/Board of Adjustment at a public meeting as per Minnesota Statute 462 and the City of Crosslake Land Use Ordinance.

For Office Use:

Application accepted by PA Date 7/10/23 Land Use District 1SD

Lake Class GD Septic: Compliance 5/30/23 SSTS Design — Installation —



## Practical Difficulty Statement

Pursuant to City of Crosslake Ordinance Article 8 – Variances may be granted when it is found that strict enforcement of the Land Use Ordinance will result in a “practical difficulty”.

Please answer the following questions regarding the “practical difficulty” for your variance request.

1. Is the Variance request in harmony with the purposed and intent of the Ordinance?

Yes ☒ No ☐

Why:

**Defer to the Planning Commission/Board of Adjustment**

2. Is the Variance consistent with the Comprehensive Plan?

Yes ☒ No ☐

Why:

**Defer to the Planning Commission/Board of Adjustment**

3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes ☒ No ☐

Why: The property fronts on a street and on a cul-de-sac. The proposed garage setback on the street meets and exceeds the 35' setback. On the cul-de-sac the setback is proposed to be 24.5' in lieu of the 35' setback. The proposed garage has a total square footage of 1,020 sq', 115 sq' or 12% of the proposed garage falls in the road right-a-way 35' setback. This will be the second structure on the property.

4. Will the issuance of a Variance maintain the essential character of the locality?

Yes ☒ No ☐

Why: The proposed garage will allow us to store boats and trailer inside. The two adjoining property owners/neighbors to the east of the property and the two adjoining owners/neighbors to the west, and the owner/neighbor across the street to the south all agree on this variance for the proposed garage. The proposed garage will maintain the essential character of the neighborhood. All the exterior finishes of the proposed garage will match the finishes (siding, shingles & doors) on the house.

5. Is the need for a Variance due to circumstances unique to the property and not created by the property owner?

Yes ☒ No ☐

Why: To maintain the cul-de-sac 35' setback, it moves the proposed garage north, not aligning with the existing driveway. Also, it will not align with my neighbor to west, detached garage.

6. Does the need for a Variance involve more than economic considerations?

Yes ☒ No ☐

Why: By locating the proposed garage to the proposed location, it aligns with the existing driveway. To shift the garage to the north out of the 35' setback requirement, the driveway will need to be reconfigured and adds to the impervious surface. Also, at the proposed garage location, it will align with my neighbor to the west, detached garage.



City of Crosslake Planning Commission/Board of Adjustment

FINDINGS OF FACT

SUPPORTING / DENYING A VARIANCE REQUEST

*A Variance may be granted by the Planning Commission/Board of Adjustment when it is found that strict enforcement of the Land Use Ordinance will result in a “practical difficulty” according to Minnesota Statute Chapter 462. The Planning Commission/Board of Adjustment should weigh each of the following questions to determine if the applicant has established that there are “practical difficulties” in complying with regulations and standards set forth in the Land Use Ordinance.*

1. Is the Variance request in harmony with the purposes and intent of the Ordinance?

Yes                      No

Why:

2. Is the Variance consistent with the Comprehensive Plan?

Yes                      No

Why:

3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes                      No

Why:



4. Will the issuance of a Variance maintain the essential character of the locality?

Yes          No

Why:

5. Is the need for a Variance due to circumstances unique to the property and not created by the property owner?

Yes          No

Why?

6. Does the need for a Variance involve more than economic considerations?

Yes          No

Why: