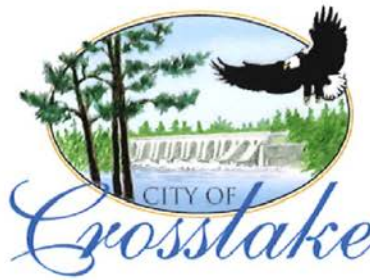


City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



13888 Daggett Bay Rd
Crosslake, Minnesota 56442
www.cityofcrosslake.org

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: John R & Stacy M Maciej

Authorized Agent: N/A

Site Location: 34392 Urbans Point Road, Crosslake, MN 56442 on Crosslake - GD

Variance for:

- Lake setback of 37 feet where 75 feet is required to proposed attached garage

To construct:

- 572 square foot attached 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).



STAFF REPORT

Property Owner/Applicant: John R & Stacy M Maciej

Parcel Number(s): 14300601

Application Submitted: July 12, 2023

Action Deadline: September 9, 2023

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

Applicant Extension Received / Request: NA / NA

City Council Date: NA

Authorized Agent: N/A

Variance for:

- Lake setback of 37 feet where 75 feet is required to proposed attached garage

To construct:

- 572 square foot attached garage

Current Zoning: Shoreland District

Existing Impervious Coverage:

21.4%

- A stormwater management plan was submitted on the survey with the variance application
- Compliant septic compliance inspection on file dated 6-14-2023

Proposed Impervious Coverage:

24.9%

Parcel History:

- Urban's Point established in 1923
- September 1990 – conforming septic
- April 2009 – Replacement of existing concrete block patio with a new paver patio; installation of a sidewalk from the front entry to the existing driveway
- June 14, 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: No comment received before packet cutoff date

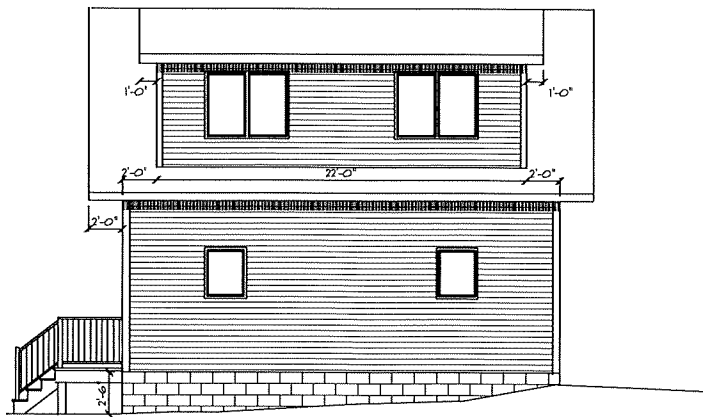
POSSIBLE MOTION:

To approve/table/deny the variance to allow:

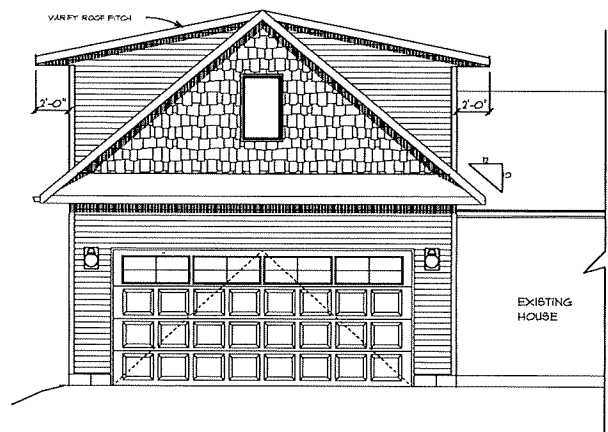
- Lake setback of 37 feet where 75 feet is required to proposed attached garage
- To construct:
- 572 square foot attached garage

As shown on the certificate of survey dated 7-6-2023

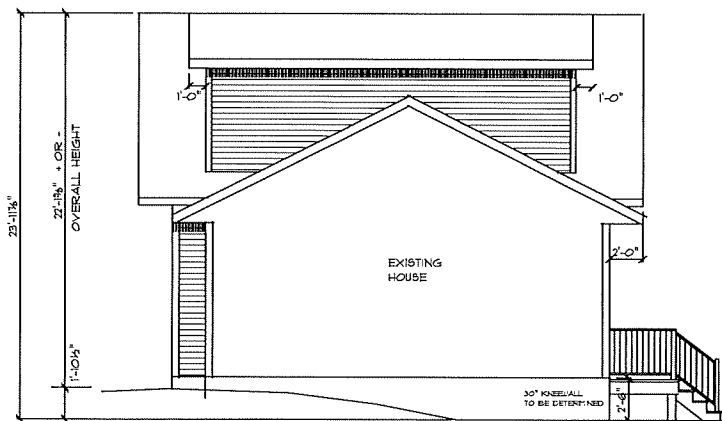




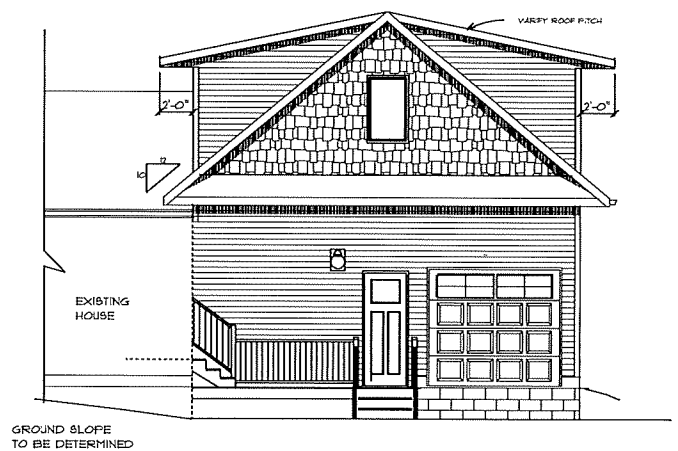
RIGHT ELEVATION



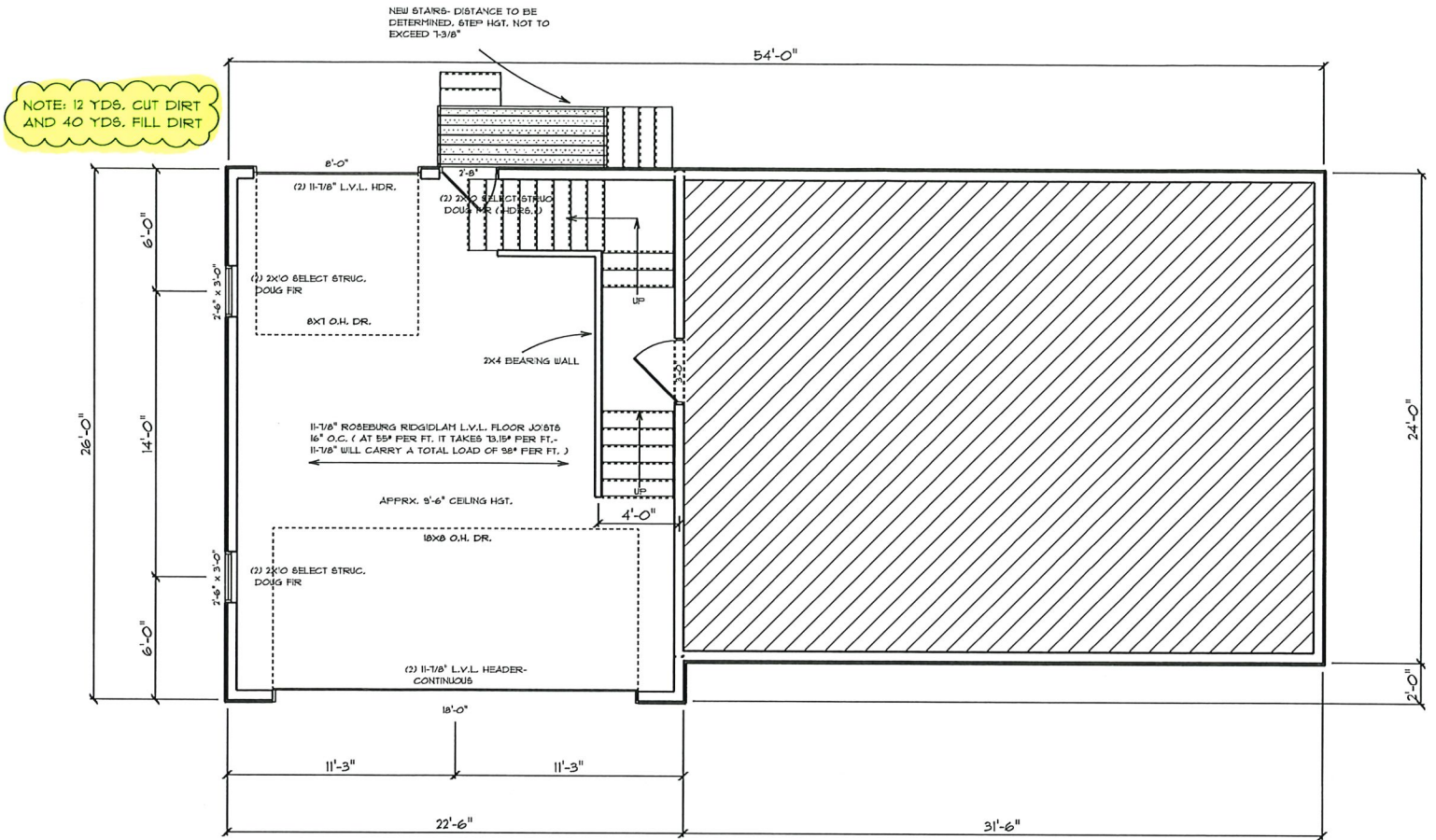
FRONT ELEVATION



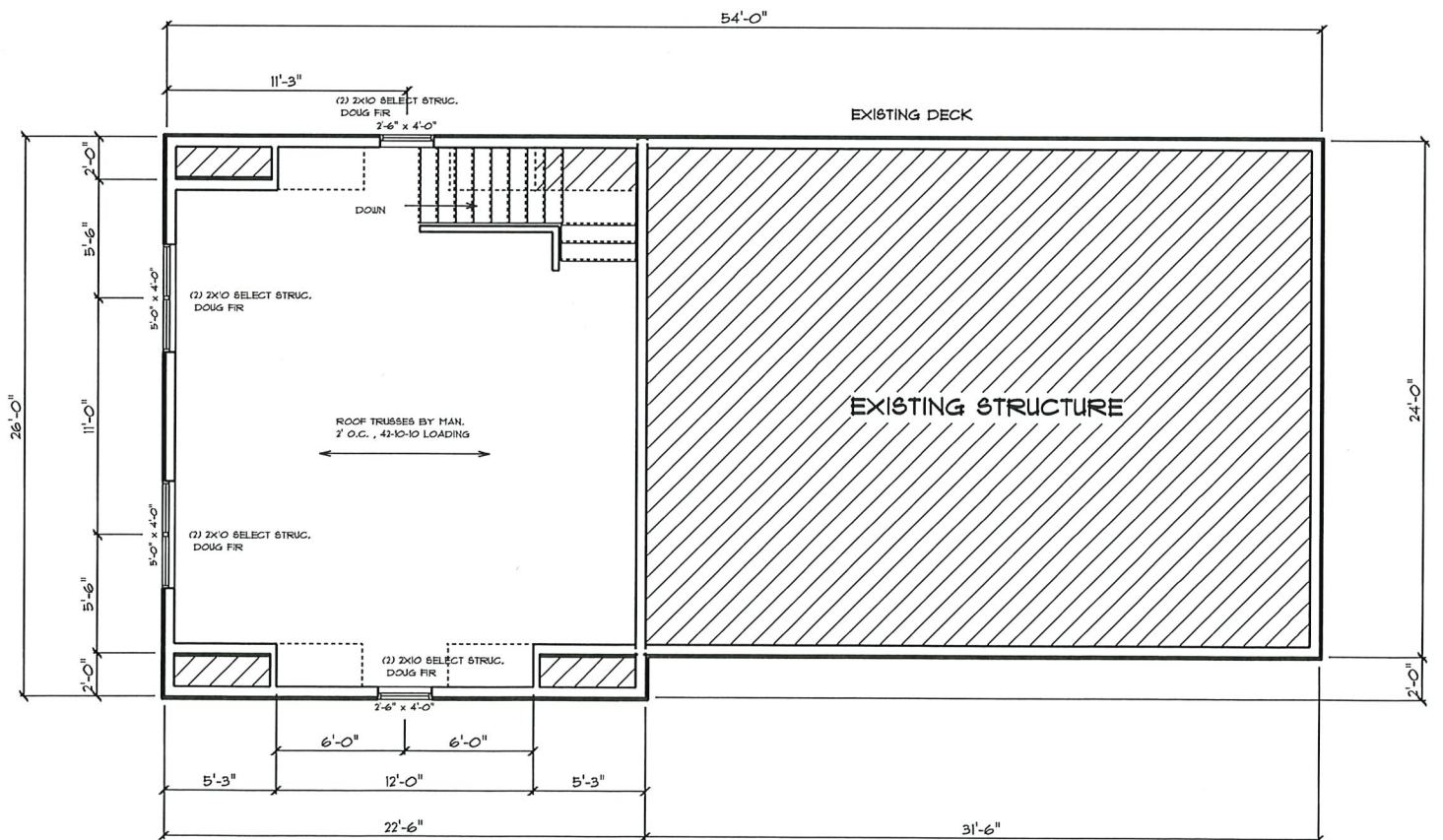
LEFT ELEVATION



REAR ELEVATION



MAIN FLOOR PLAN



UPPER FLOOR PLAN



Variance Application
Planning and Zoning Department
13888 Daggett Bay Road, Crosslake, MN 56442
218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

Receipt Number: 771763

Permit Number: 230156V

Property Owner(s): John and Stacy Maciej

Mailing Address: 4500 145th Street

Site Address: 34392 Urbans Point Road

Phone Number: 320-360-2689

E-Mail Address: lefty_23@hotmail.com

Parcel Number(s): 14300601

Legal Description: outlot five Urbans point north line
30 of lot 1 block 1.
Sec 30 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Crosslake

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

If yes list Parcel Number(s) _____

Authorized Agent: _____

Agent Address: _____

Agent Phone Number: _____

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) Stacy Maciej Date 6/8/2023

Signature of Authorized Agent(s) _____ Date 6/8/2023

- All applications must be accompanied by a signed Certificate of Survey
- Fee \$500 for Residential and Commercial Payable to "City of Crosslake" + \$6.00 copies
- 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 CS Date 7-12-23 Land Use District SD

Lake Class GD Septic: Compliance 6-14-23 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 is a lake lot with setbacks that we are unable to meet the requirements without the variance. It will also allow storage of boat trailers/recreation vehicles inside. Because of the lot building envelope of the property there is no other location available to build a garage without encroaching on the lake or drain field.

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

Yes ☒ No ☐

Why: By building this garage it will make the neighborhood look cleaner as the other neighbors have attached/detached garages so it will maintain the essential character of the neighborhood

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

Yes ☒ No ☐

Why: The previous builder built the cabin before zoning codes/setbacks existed. As a result the cabin is located in a situation in such a way to make it hard to build an attached garage without locating it closer to the setback

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

Yes ☒ No ☐

Why: The new garage will need a variance for the setback. By placing the garage where we propose, it is located as far from the lakeshore as possible. We would much rather encroach the set back than build closer to the lakeshore.



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: