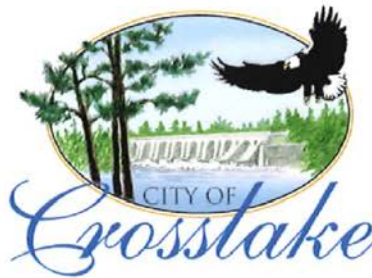


City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



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

CITY OF CROSSLAKE

PLANNING COMMISSION/BOARD OF ADJUSTMENT

April 26, 2024

9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: David J & Kara A Klinger

Authorized Agent: N/A

Site Location: off of Buckskin Lane, Crosslake, MN 56442 on Ox Lake - NE

Variance for:

- Lake setback of 130 feet where 150 feet is required to proposed dwelling
- Lake setback of 18 feet where 150 feet is required to proposed driveway

To construct:

- 3,153 square foot dwelling
- 3,404 square foot driveway where 747 square feet are in the SIZ1 & 2657 square feet are in the SIZ2

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: David J & Kara A Klinger

Parcel Number(s): 14040598

Application Submitted/accepted: March 18, 2024

Action Deadline: May 16, 2024

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 130 feet where 150 feet is required to proposed dwelling
- Lake setback of 18 feet where 150 feet is required to proposed driveway

To construct:

- 3,153 square foot dwelling
- 3,404 square foot driveway where 747 square feet are in the SIZ1 & 2657 square feet are in the SIZ2

Current Zoning: Shoreland District

Existing Impervious Coverage:

3.99%

Proposed Impervious Coverage:

8.86%

- A stormwater management plan was submitted with the variance application
- A wetland delineation winter window agreement was submitted
- A septic design winter window agreement was submitted with the survey showing that the entire system will be within the building envelope area

Parcel History:

- No history found in our files on this parcel

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:

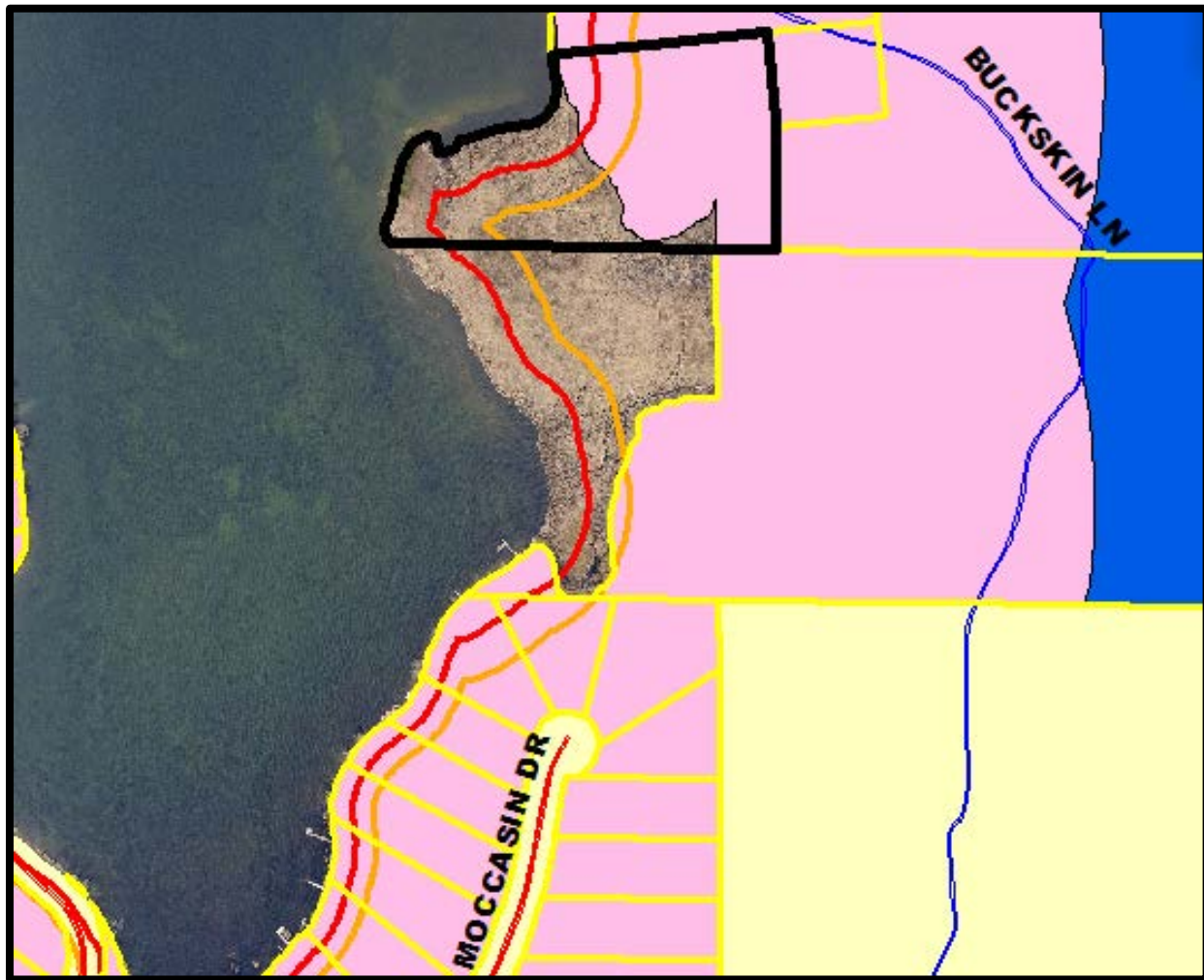
To approve/table/deny the variance to allow:

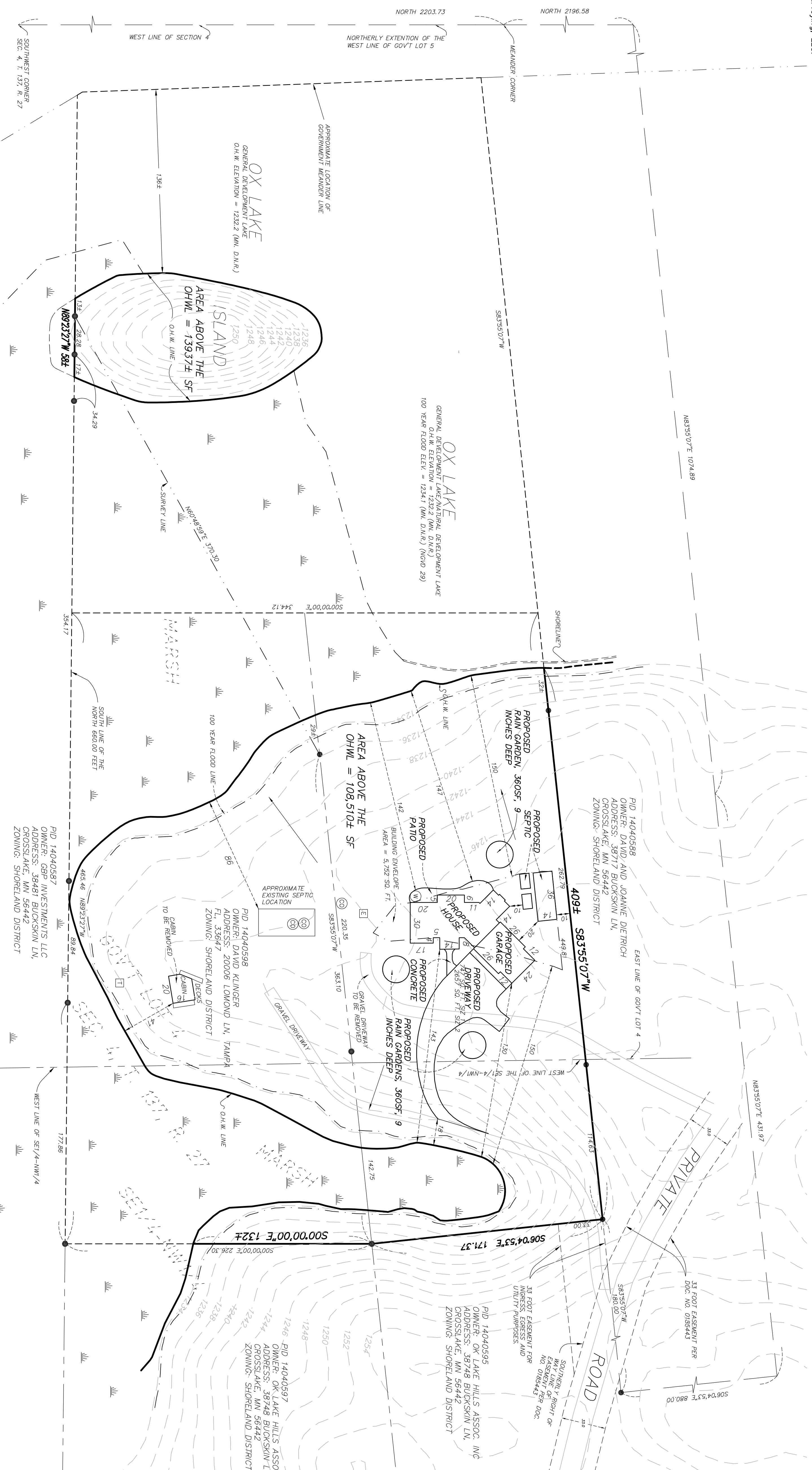
- Lake setback of 130 feet where 150 feet is required to proposed dwelling
- Lake setback of 18 feet where 150 feet is required to proposed driveway

To construct:

- 3,153 square foot dwelling
- 3,404 square foot driveway where 747 square feet are in the SIZ1 & 2657 square feet are in the SIZ2

As shown on the certificate of survey dated 3-18-2024





LEGAL DESCRIPTION PER DOCUMENT NO. 1-230729

That part of the North 650.00 foot Development Lot 4 and that part of the North 650.00 foot of the Southern Quarter of the Northwest Quarter, Section 4, Township 137 North, Range 27 West, Crow Wing County, Minnesota which lies West and South of the following described line: Commencing at the Southwest Corner of said Section 4, thence North, assumed bearing, 203.73 feet along the West line of said Section 4 to the meander corner on the shore of Ox Lake; thence North 2,186.58 feet on the projection of the last described line; thence North 88 degrees 55 minutes 00 seconds East 171.37 feet; thence South 04 degrees 04 minutes 53 seconds East 880.00 feet; thence South 83 degrees 55 minutes 07 seconds West 180.00 feet; thence South 04 minutes 53 seconds East 171.37 feet; thence South 00 degrees 00 minutes 00 seconds East 216.30 feet to the South bearing North 00 degrees 00 minutes 00 seconds West 216.30 feet; thence North 06 degrees 08 minutes 53 seconds West 171.37 feet to a point hereinafter referred to as POINT "A"; thence South 83 degrees 55 minutes 07 seconds West 849.81 feet, more or less, to the intersection with the Northerly extension of the West line of said Section 4 and there ending.

The Grantor, being the unencumbered fee titleholder of the real estate herein described, hereby conveys all of the right, title and interest of the Grantor.

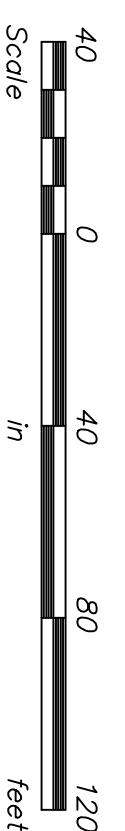
The land conveyed herein is not subject to the burden of any roadway Right of Way Easements and no roadway Right of Way Easements are hereby reserved.

TOGETHER WITH AN APURTENANT easement for ingress, egress and utilities, 33 feet wide over the existing and in use roadway extending from the East boundary of platted BUCKSKIN LANE, in the plat of Ox Lake Landings, over and across the West 1/2 of the SE 1/4 of the SW 1/4 and the NE 1/4 of the SW 1/4 and the SE 1/4 of the NW 1/4 all in Sec. 4, Twp. 137, Rng. 27, to the point of intersection with a line bearing North 83 degrees 55 minutes 07 seconds East from the previously described POINT "A".

AND Together with an appurtenant easement for ingress, egress and utilities, 33 feet wide over that part of the SE 1/4 NW 1/4 Sec. 4, Twp. 137, Range 27 West of the centerline of the foregoing described 33.00 foot wide roadway, the North line of said easement beginning at the previously described POINT "A", thence North 83 degrees 55 minutes 07 seconds East 180.00 feet to the in place iron pipe monument and there ending.

LEGEND

- FOUND 1/2 INCH IRON PIPE
- E ELECTRIC BOX
- ⊗ SEWER CLEANOUT
- TELEPHONE BOX
- ⊕ WELL



GENERAL NOTES

1. No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
2. Bearings shown are based upon an assumed bearing system. Elevation based on Crow Wing County Lidar information.
3. The underground utilities shown have been located from field survey information. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service or abandoned.
4. No wetlands were delineated as a part of this survey.
5. This survey was done in winter/snow conditions, not all improvements may have been visible at the time of survey.

EXISTING IMPERVIOUS CALCULATIONS

EXISTING BUILDINGS	IMPERVIOUS AREA (SQ. FT.)	GROSS AREA (SQ. FT.)	PERCENT IMPERVIOUS
GRAVEL DRIVEWAY	4,012	108,510	3.70%
TOTAL	4,329	108,510	3.99%

PROPOSED IMPERVIOUS CALCULATIONS

EXISTING IMPERVIOUS	IMPERVIOUS AREA (SQ. FT.)	GROSS AREA (SQ. FT.)	PERCENT IMPERVIOUS
PROPOSED BUILDINGS	3,153	108,510	2.91%
PROPOSED DRIVEWAY AND CONCRETE	3,404	108,510	3.14%
GRAVEL	2,488	108,510	2.29%
PATIO	574	108,510	0.53%
TOTAL	9,619	108,510	8.88%

Lakes Area SURVEYING LLC

2434 SUITE 200A SUITE C
 MINNEAPOLIS, MN 55425
 OFFICE (612) 964-0090

I, hereby certify, that this plan was prepared by me or under my direct supervision and that I am a duly licensed LAND SURVEYOR under the laws of the State of Minnesota.
Paul Herkarnoff
 Date: 2-8-24 License No. 45875

Revisions:

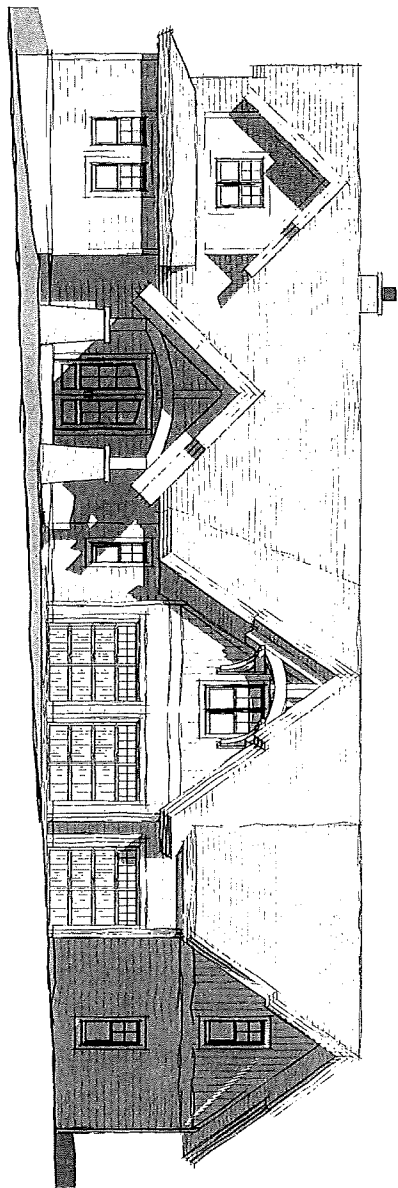
3-18-24	EAN
	TTS
	PDH

Prepared for:

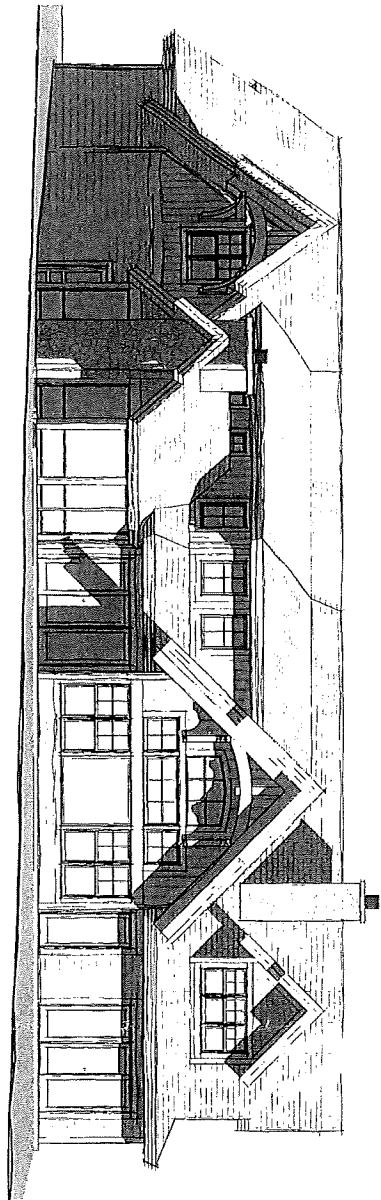
KLINGER

OX LAKE
 Crow Wing County, Minnesota

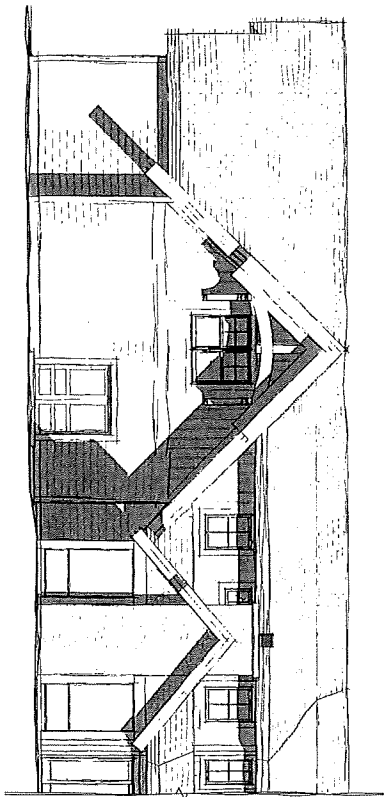
CERTIFICATE OF SURVEY



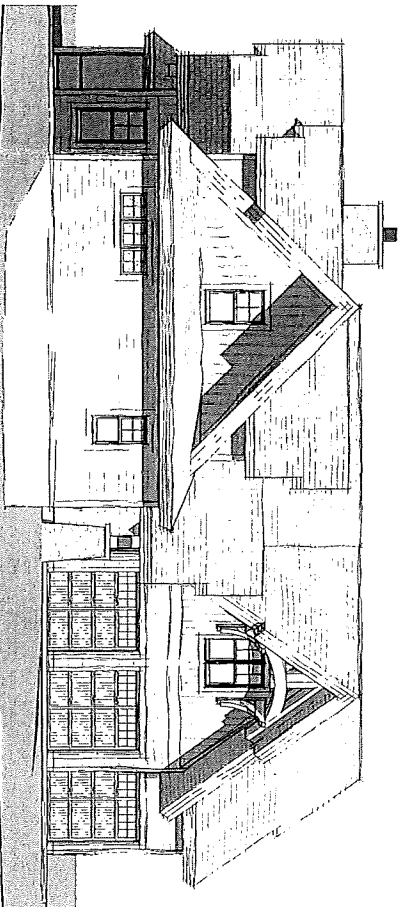
① Roadside (East) Elevation
3/16" = 1'-0"



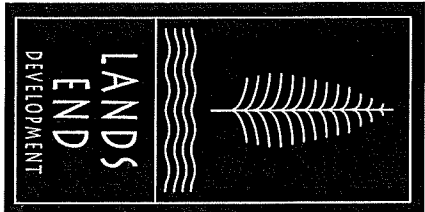
② Lakeside (West) Elevation
3/16" = 1'-0"



④ Garage Back Elevation
3/16" = 1'-0"



③ South Elevation
3/16" = 1'-0"



Klinger Lake Home

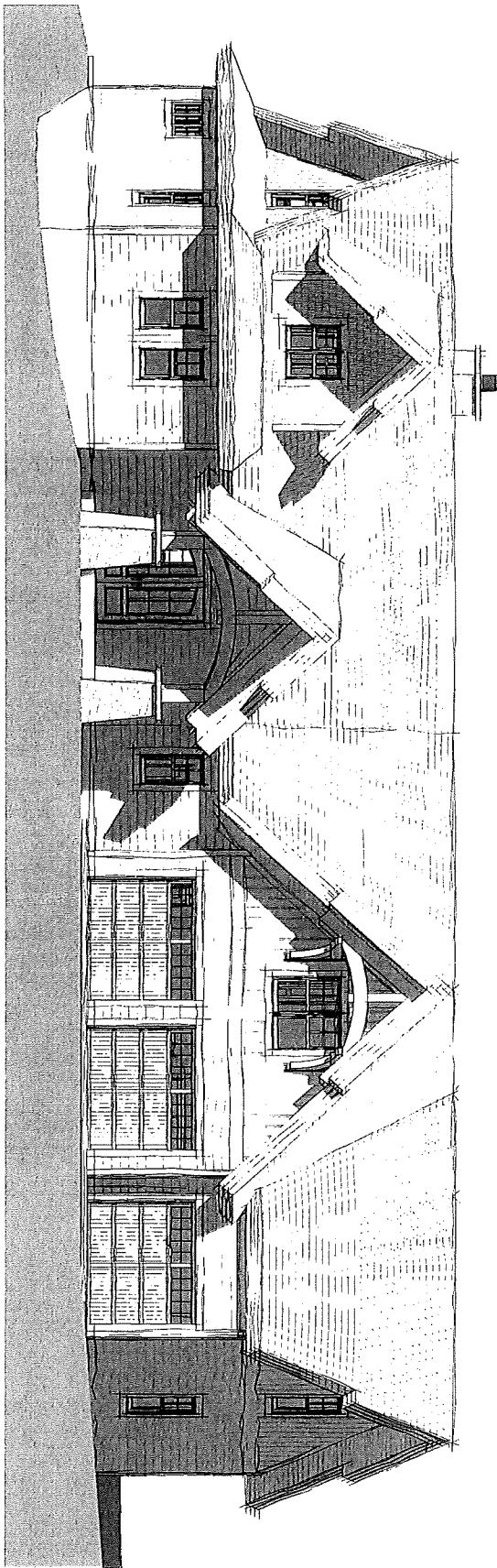
- Ox Lake, Crosslake -

Elevations

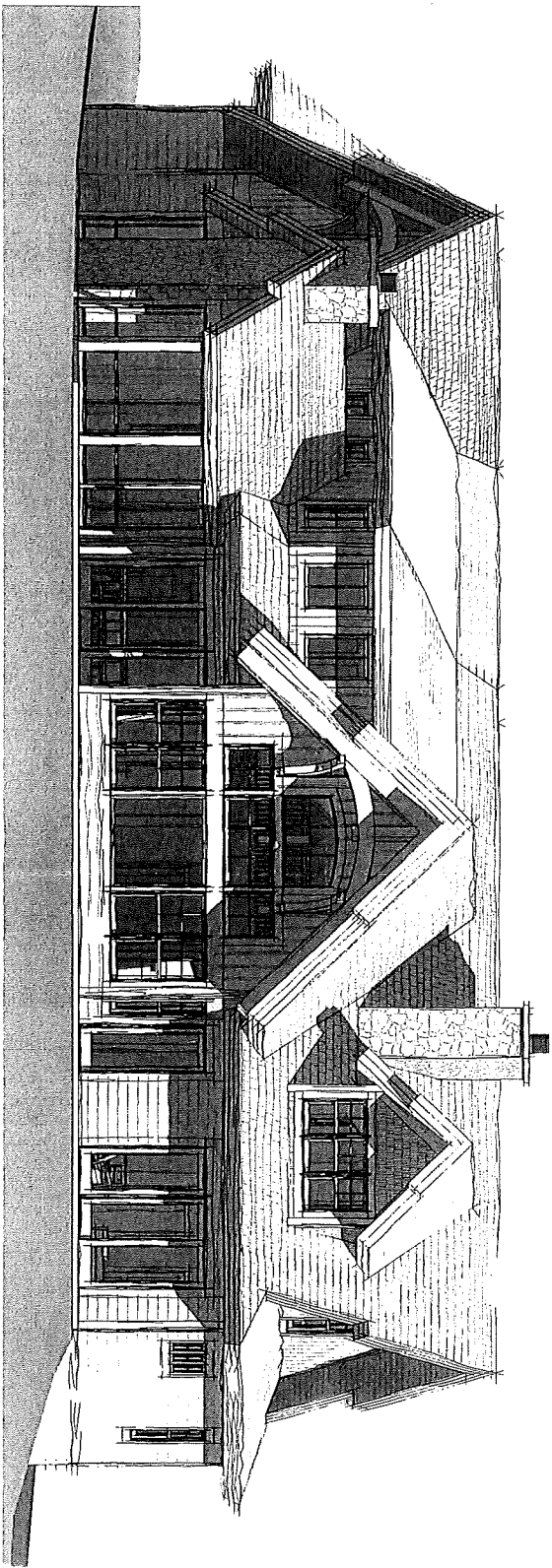
Project Name: Crosslake #3
Date: December 26, 2023
Drawn by: mcdonovan

A1

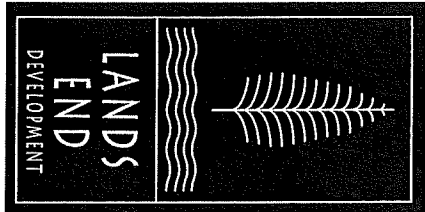
Scale: 3/16" = 1'-0"



② Rear/Side 3D View



① Side 3D View

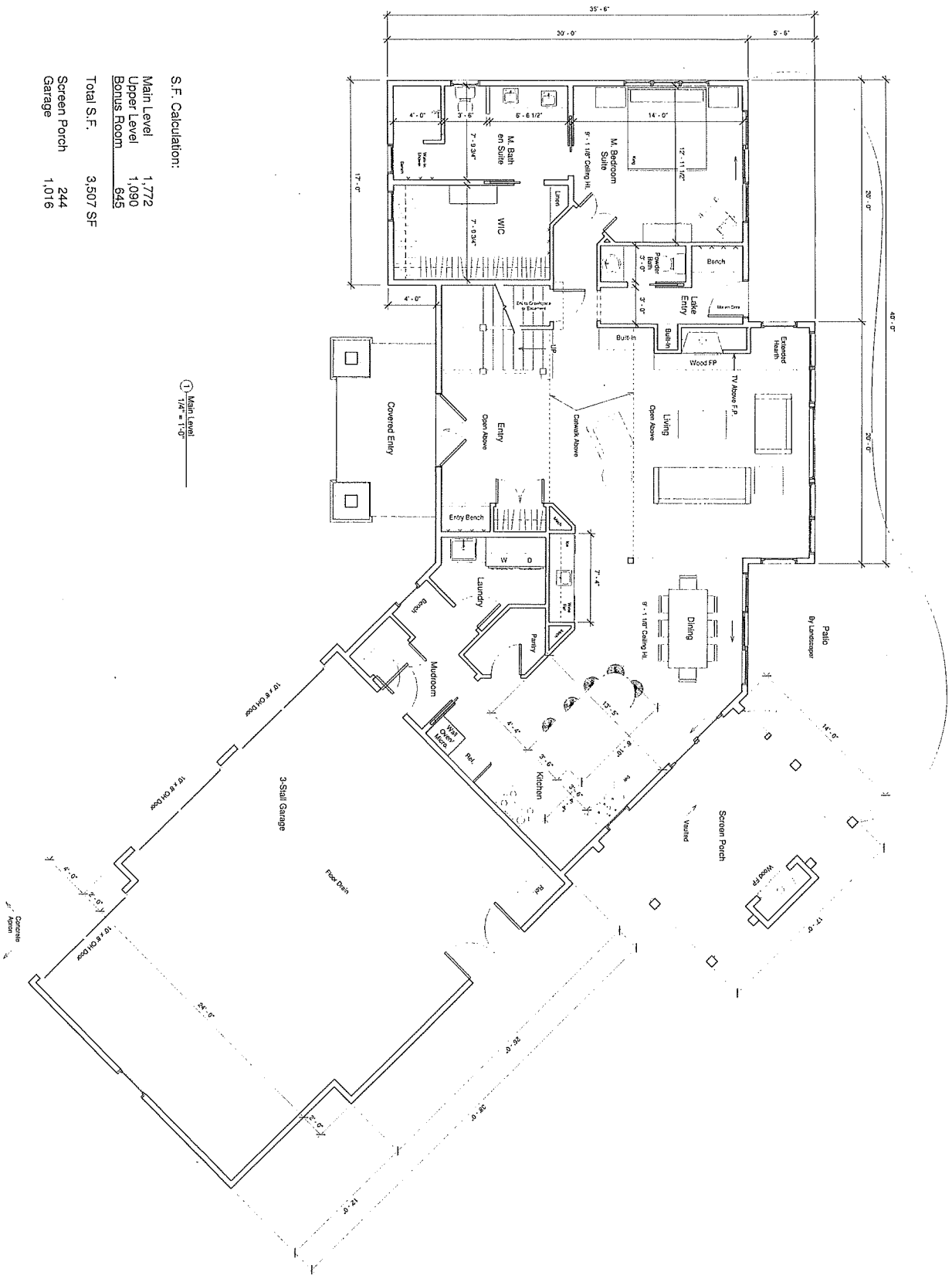


Klinger Lake Home

- Ox Lake, Crosslake -

3D Views

Project Status	Complete #3
Date	December 26, 2023
Drawn by	mjohnson
Scale	A2



S.F. Calculation:

Main Level	1,772
Upper Level	1,090
Bonus Room	645
Total S.F.	3,507 SF
Screen Porch	244
Garage	1,016

① Main Level
1/4" = 1'-0"

Main Level

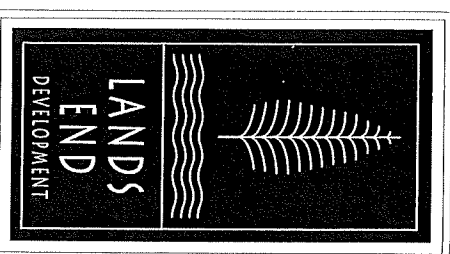
Project Name	CONCEPT #13
Date	December 25, 2023
Drawn by	midhudson

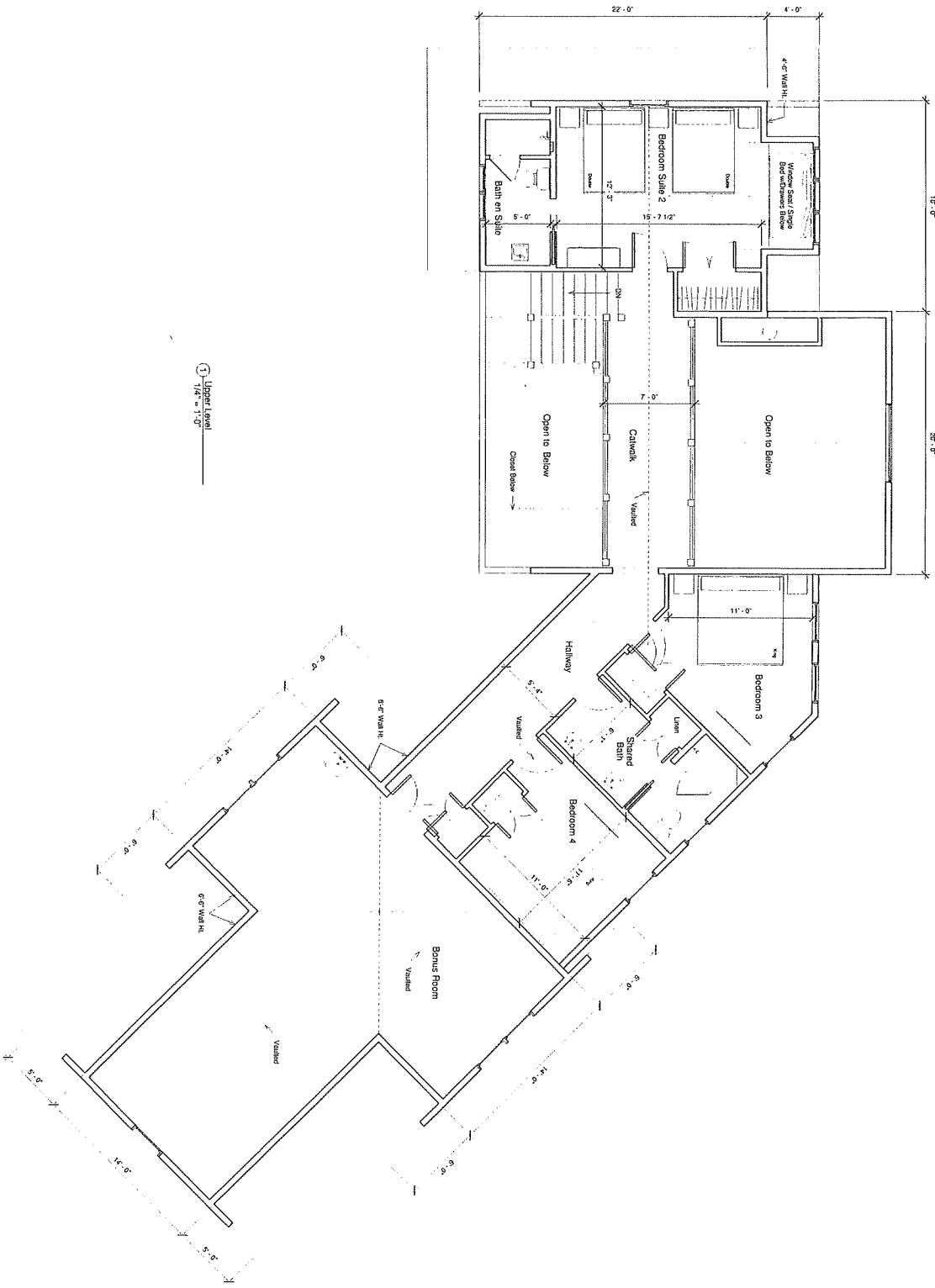
Scale: 1/4" = 1'-0"

A3

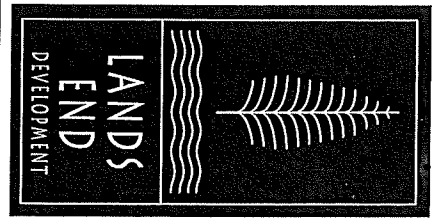
Klinger Lake Home

- Ox Lake, Crosslake -





① Upper Level
1/4" = 1'-0"



Klinger Lake Home - Ox Lake, Crosslake -

Upper Level

Project Status	Concept #13
Date	December 26, 2023
Drawn by	MCDONALD
Scale	1/4" = 1'-0"

A4

LUNING: SHORELAND DISTRICT

409L 583'55.07"W

Need 798 cu ft
9" Deep = 1061 sq ft

33 FOOT EASEMENT
INGRESS, EGRESS AND
UTILITY PURPOSES.

PID 140401
OWNER: OI
ADDRESS: AL
CROSSLAKE
ZONING: S

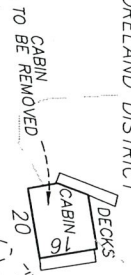
HENT LAKE
D 29)

AREA ABOVE THE
OHWL = 108,510 SF

PID 14040598
OWNER: DAVID KLINGER
ADDRESS: 20006 LOMOND LN, TAMPA
FL, 33647
ZONING: SHORELAND DISTRICT



APPROXIMATE
EXISTING SEPTIC
LOCATION



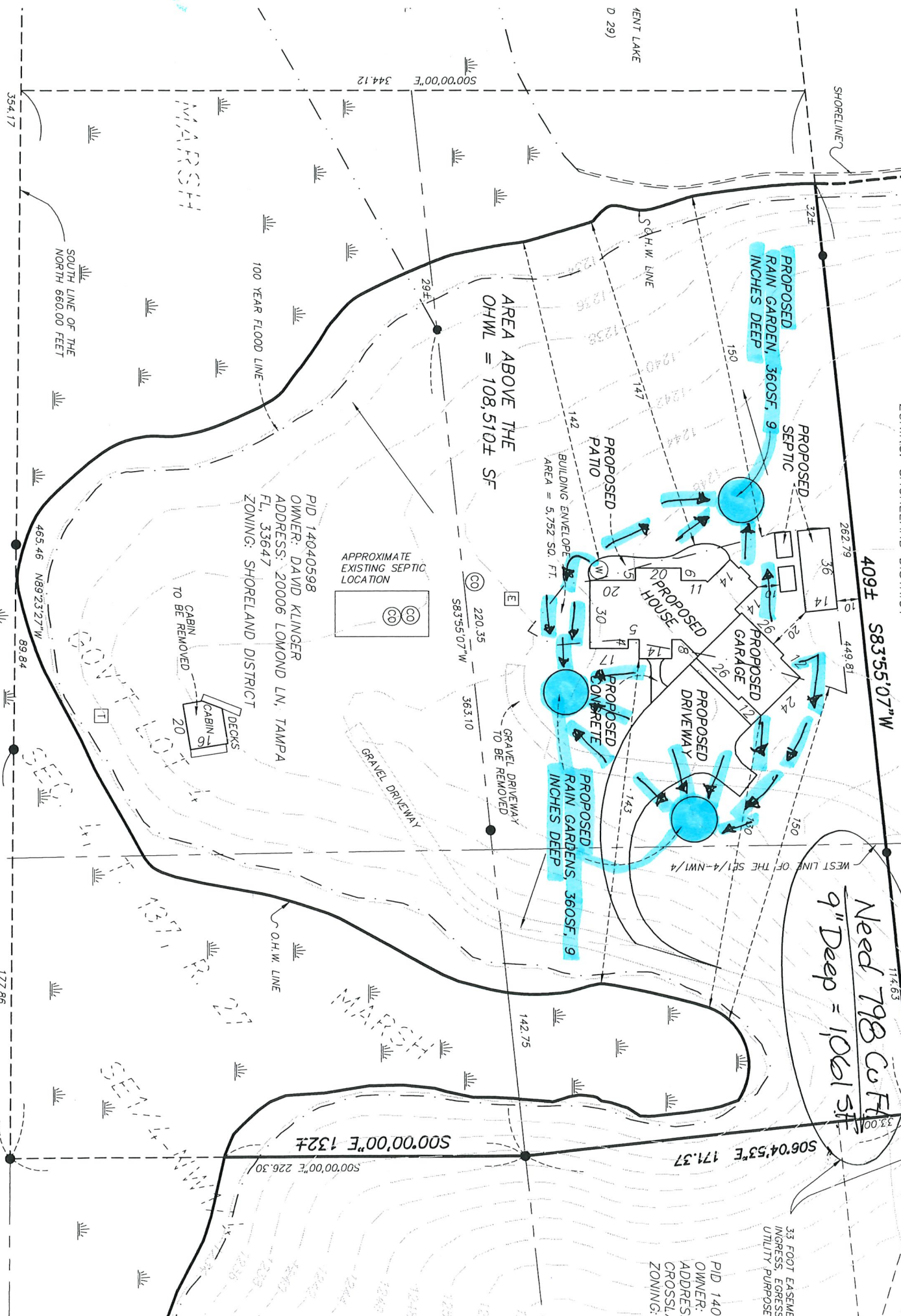
CABIN
TO BE REMOVED

SOUTH LINE OF THE
NORTH 680.00 FEET

100 YEAR FLOOD LINE

PID 14040587
OWNER: GBP INVESTMENTS LLC
ADDRESS: 38481 BUICKSKIN I.N.

WEST LINE OF SET/4-NW1/4



Klinger Cut and Fill Information

The proposed driveway at the Klinger site will not require any dirt to be moved into or out of the site, with the exception of the class 5 surface material that will be spread on the driveway. The driveway will be constructed by removing the topsoil and then spreading class 5 gravel on the driveway surface. The topsoil that is removed from the proposed driveway area will be graded out along the side of the driveway when completed.

The new proposed driveway in the SIZ1 zone will require the moving of 24 cubic yards total of topsoil and class 5 gravel, and 41 cubic yards in the SIZ2 zone.

Thanks,

Jeff Balmer

Lands End Development

13817 County Rd 36

Crosslake, MN 56442

218-692-5263

Cheryl Stuckmayer

From: Jon Kolstad <jkolstad@crosslake.net>
Sent: Friday, April 30, 2021 8:29 AM
To: 'Cindy'
Cc: 'Cheryl Stuckmayer'
Subject: Erlandsen Lake Setback - Ox Lake

Importance: High

Cindy

The Erlandsen property near Ox Lake (PID 14040527) – we have received multiple calls about the lake setback.

I just received clarification from Dani McNeal (DNR Hydrologist) about where the ohw is and where we will start the 150-ft setback.

Ox Lake has two lake classifications; the south half is General Development with a 75 foot setback, the north half is Natural Development with a 150-foot setback. The dividing line is just to the west of this parcel:



The wetland that is adjacent to the lake (east) and to the NW of the Erlandsen parcel is a part of the lake according to the DNR. The 150-ft setback needs to be measured from the edge of the wetland and will impact the Erlnadsens building envelop significantly.



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: 244096 Permit Number: 240014 ✓
 Property Owner(s): David and Kara Klinger
 Mailing Address: 20006 Lomond Lane, Tampa, FL 33647
 Site Address: Buckskin Lane (No Address Number Yet)
 Phone Number: 727-483-1430
 E-Mail Address: davidjklinger@yahoo.com
 Parcel Number(s): 14040598
 Legal Description: Legacy # 120042000AA0009
 Sec 04 Twp 137 Rge 26 27 28
 Lake/River Name: Ox Lake
 Do you own land adjacent to this parcel(s)? Yes No
 If yes list Parcel Number(s) _____
 Authorized Agent: _____
 Agent Address: _____
 Agent Phone Number: _____

Variations
 (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) David J Kl Date 2/16/24
 Signature of Authorized Agent(s) _____ Date _____

- All applications must be accompanied by a signed Certificate of Survey
- Fee \$750 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 CS Date 2-28-2024 Land Use District SD
 Lake Class NE Septic: Compliance WWA SSTS Design WWA 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 on a peninsula with wetlands surrounding it, creating a very small building envelope and we are unable to meet setback requirements on all sides of the home. My grandparents lived on this property until their death and it has strong sentimental value to us. It will be used for our own residential purposes only.
4. Will the issuance of a Variance maintain the essential character of the locality?
Yes No
Why: _____
The vast majority of Ox Lake residents have setbacks less than 150 feet, including some on the conservation portion of the lake. The only property adjacent to ours has an old cabin less than 75 feet from the lake. There is a structure on our property close to the wetlands that we will remove to improve the character of the property.
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 property is unique as a peninsula surrounded by the lake and wetlands. With a setback requirement of 150 feet, the building envelope is too small for the home we plan to build. As a result, we have placed the proposed home 150 feet from the lake and are requesting a variance for the front of the home facing the road.
6. Does the need for a Variance involve more than economic considerations?
Yes No
Why: _____
With the new home we are able to remove the old structure which is close to the wetlands. The new home will need a setback variance for the front (road side), but will meet setback requirements on the back (lake side). There is an old septic system and electrical equipment on the property which will be replaced and brought up to code.



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: