

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

July 26, 2024
9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: Douglas & Terri Oster

Authorized Agent: N/A

Site Location: 34792 East Shore Rd, Crosslake, MN 56442 on Crosslake - GD

Variance for:

- Lake setback of 71 feet where 75 feet is required to proposed garage addition

To construct:

- 743 square foot garage addition to a 484 existing garage, which totals 1227 square feet

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@cityofcrosslake.org).



STAFF REPORT

Property Owner/Applicant: Douglas & Terri Oster

Parcel Number(s): 14290775

Application Submitted: July 2, 2024

Action Deadline: August 30, 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 71 feet where 75 feet is required to proposed garage addition

To construct and allow:

- 743 square foot garage addition to a 484 existing garage, which totals 1227 square feet

Current Zoning: Shoreland District

Existing Impervious Coverage:

Not on the survey

- 2 Stormwater management retainage areas were on the survey, a detailed plan was requested
- Parcel is on the municipal city sewer

Proposed Impervious Coverage:

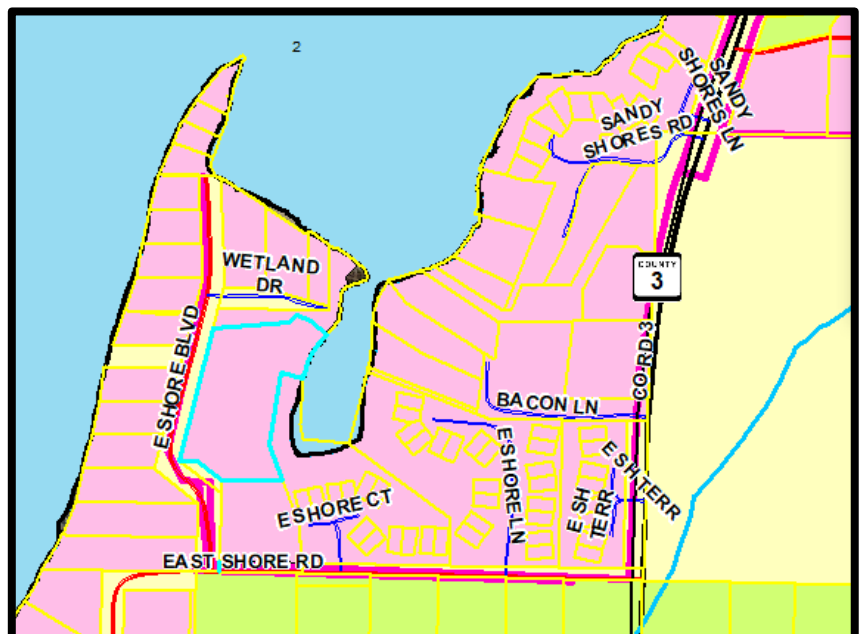
8.7%

Parcel History:

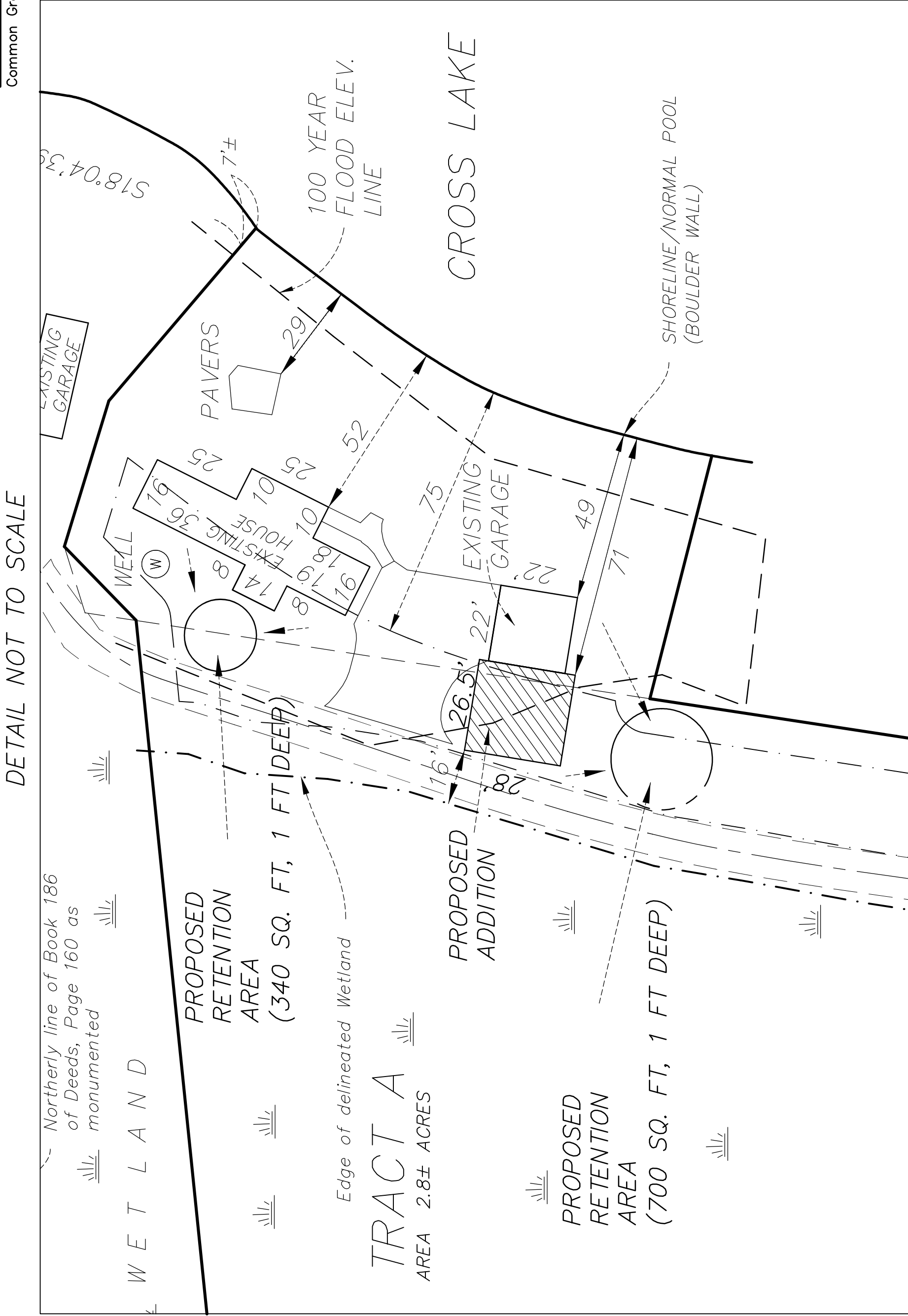
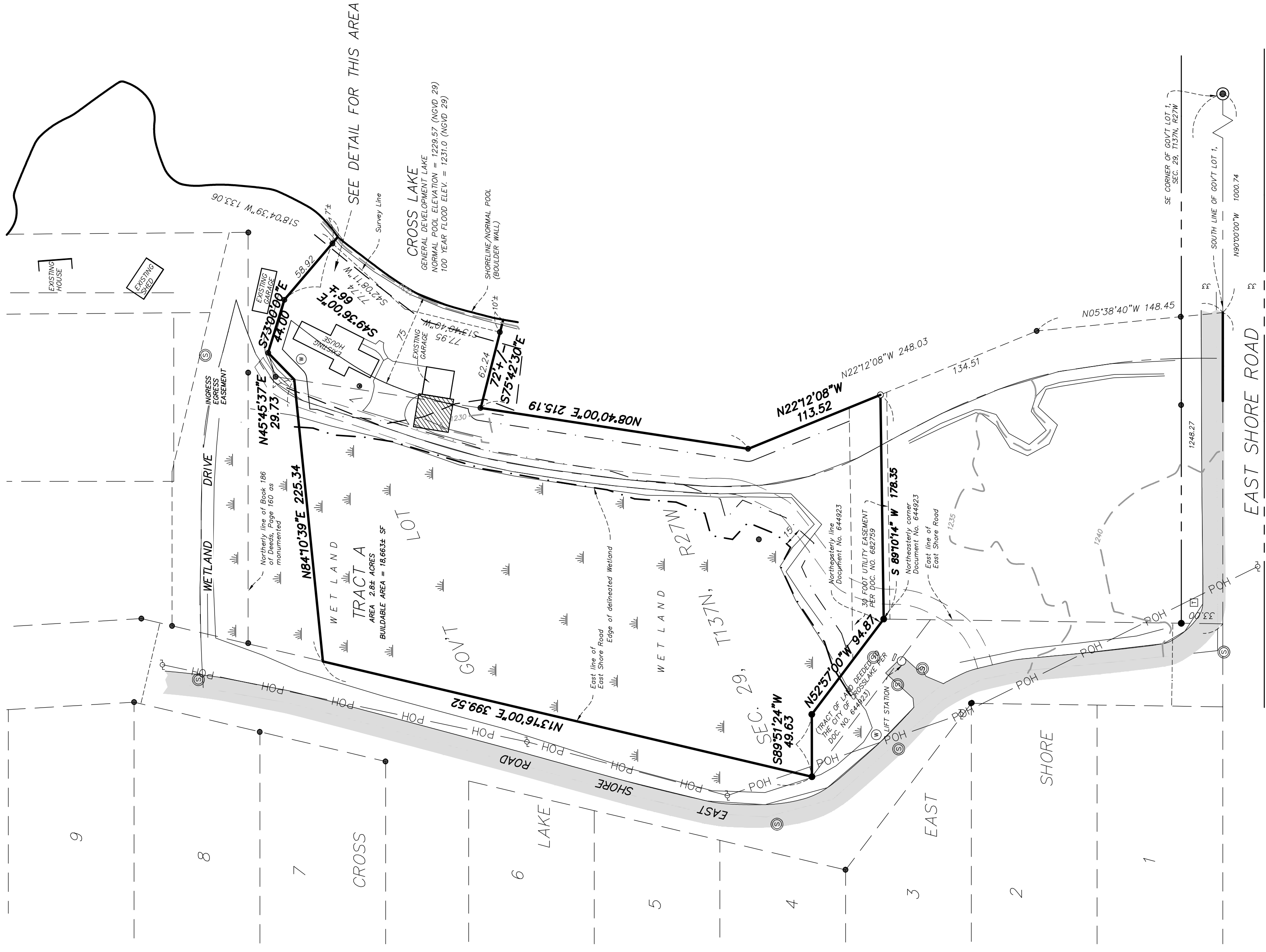
- May 1972 – Sewer, storage shed & move in mobile home
- March 1974 – 40x90 pole building; no sewer
- September 1980 – 12x20 deck & roof over existing mobile home
- March 1987 – Install 1982 16x72 mobile home; add hip roof; screen porch; year-round porch; move old unit off
- April 2010 – Variance to construct home 40.4 feet from OHW; 10 feet from private road
- July 2011 – Construct 1419 sf main floor home; 19 sf entry porch with crawl space
- October 2011 – Land alterations including a rock area/border around the house, a sidewalk, installation of a fire ring and five 30-inch boulders
- November 2011 – Variance approved to construct a detached garage
- November 2011 – Construct 22'x22' garage
- 2012 – Rip-rap
- May 2013 – Hard surfacing of driving location (partial or in its entirety)
- August 2014 – Lot Line Adjustment
- August 2021 – Metes and Bounds Subdivision approved (split property-2 parcels)

Concerned Parties: No comment received before packet cutoff date

As shown on the certificate of survey dated 7-3-2024







GENERAL NOTES

- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Bearings shown are based upon an assumed bearing system. Elevations based on the NGVD 29 datum.
- The underground utilities shown have been located from field survey information. The surveyor makes no guarantees that the utilities shown comprise all such utilities in the area, either in service or abandoned.
- Wetlands based on previous wetland delineation done by Mitch Brinks.
- Parcel Jhd is 14290775, Owner is Douglas and Terri Oster, address is 34792 East Shore Blvd, Crosslake MN 56422.

IMPERVIOUS COVERAGE

TRACT A	
Total Lot Area:	122,807 SF
Impervious Coverage:	
Gravel	6,130 SF
Buildings	1,923 SF
Proposed Addition	743 SF
Parking and walkway	1,893 SF
Total Impervious Coverage:	10,689 SF
% Impervious Coverage:	8.7%

LEGEND

- TELEPHONE BOX
- WELL
- WETLAND
- STEEL/WOOD POST
- POWER POLE
- SANITARY MANHOLE
- POWER OVERHEAD
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2"x1/4" IRON PIPE WITH CAP # 45875

EXISTING LEGAL DESCRIPTION PER DOCUMENT NUMBER 994552

That part of Government Lot 1, Section 29, Township 137 North, Range 27 West, Crow Wing County, Minnesota, described as follows:

Commencing at the southeast corner of said Government Lot 1; thence North 90 degrees 00 minutes 00 seconds West, assumed bearing, along the south line of said Government Lot 1, a distance of 160.74 feet; thence North 03 degrees 08 minutes 00 seconds West, a distance of 148.45 feet; thence North 27 degrees 12 minutes 00 seconds West, a distance of 248.03 feet; thence North 08 degrees 40 minutes 00 seconds East, a distance of 215.19 feet to the point of beginning of the tract to be described; thence reversing course South 08 degrees 40 minutes 00 seconds West, a distance of 215.19 feet; thence South 22 degrees 12 minutes 08 seconds East, a distance of 113.52 feet; thence South 89 degrees 10 minutes 14 seconds West 178.35 feet to the east line of East Shore Road, according to the recorded plat of CROSS LAKE EAST SHORE, as on file in the office of the County Recorder, Crow Wing County, Minnesota; thence North 52 degrees 57 minutes 00 seconds West along the northeasterly line of said tract of land, a distance of 94.87 feet; thence South 89 degrees 51 minutes 24 seconds West along the northerly line of said tract, a distance of 49.63 feet to the east line of said East Shore Road; thence North 13 degrees 16 minutes 00 seconds East along said east line, a distance of 399.52 feet; thence North 84 degrees 10 minutes 39 seconds East, a distance of 225.34 feet; thence North 45 degrees 45 minutes 37 seconds East, a distance of 29.73 feet; thence South 49 degrees 36 minutes 00 seconds East, a distance of 44.00 feet; thence South 49 degrees 36 minutes 00 seconds East, a distance of 66 feet, more or less, to the shoreline of Cross Lake; thence southwesterly and southerly along said shoreline to the intersection with a line which bears South 75 degrees 42 minutes 30 seconds East from the point of beginning; thence North 75 degrees 42 minutes 30 seconds West, a distance of 72 feet, more or less, to the point of beginning.

Said parcel contains 2.8 acres, more or less, and is subject to all easements, restrictions, and reservations of record, if any.

Revisions:

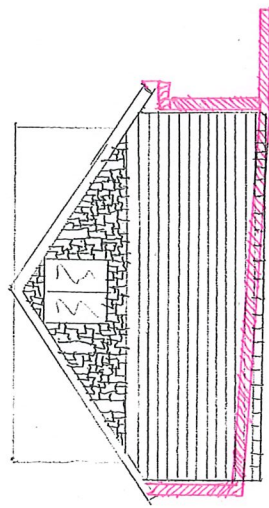
9-14-21	TRACT B LEGAL	EAN
		TTS
		PDH

Prepared for:

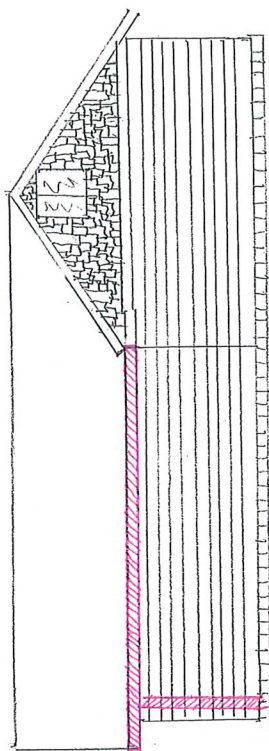
Crew:	EAN
Checked:	TTS
Drawn:	PDH

DOUG AND TERRI OSTER

11. 2000 2001

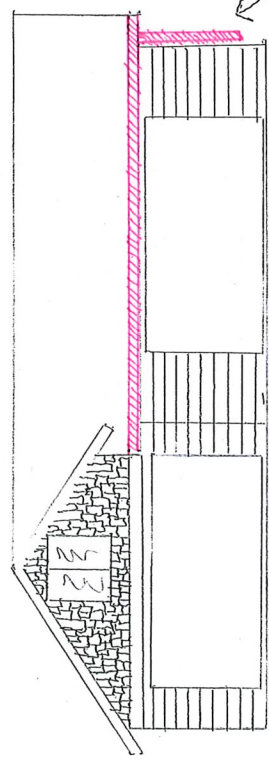


Retention Area

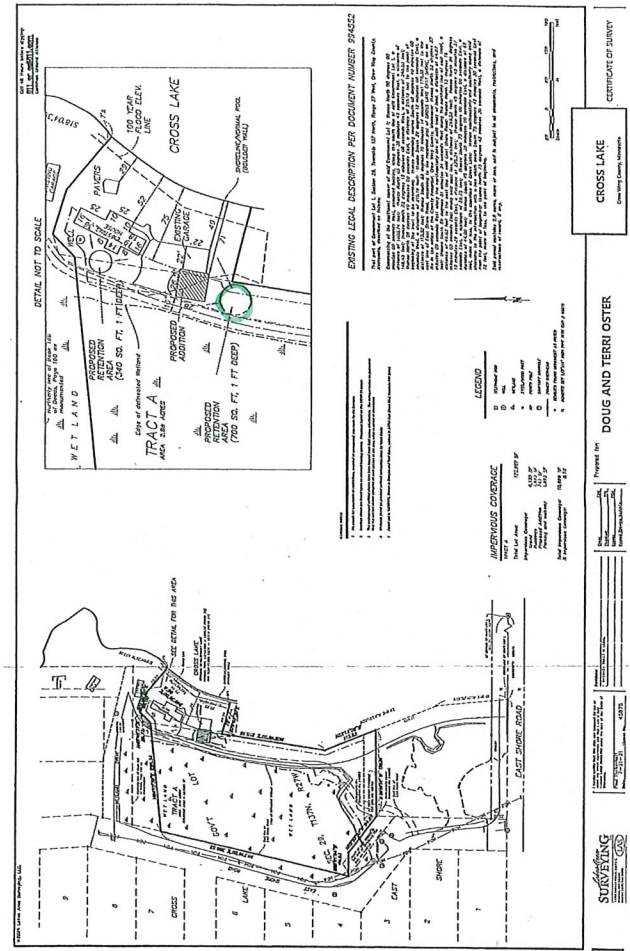


Retention Area

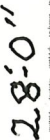
From
Nov 22



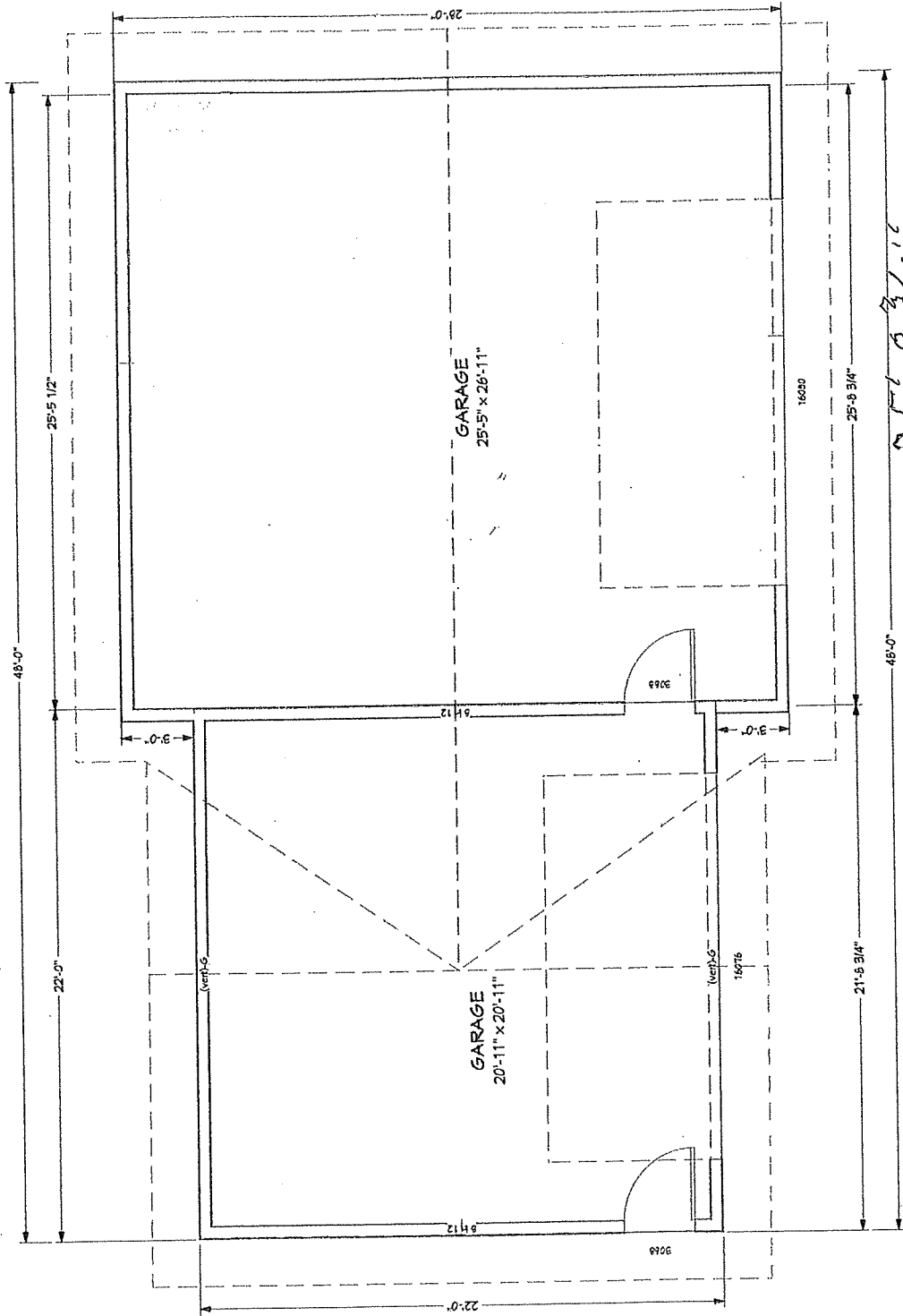
To South Retention area



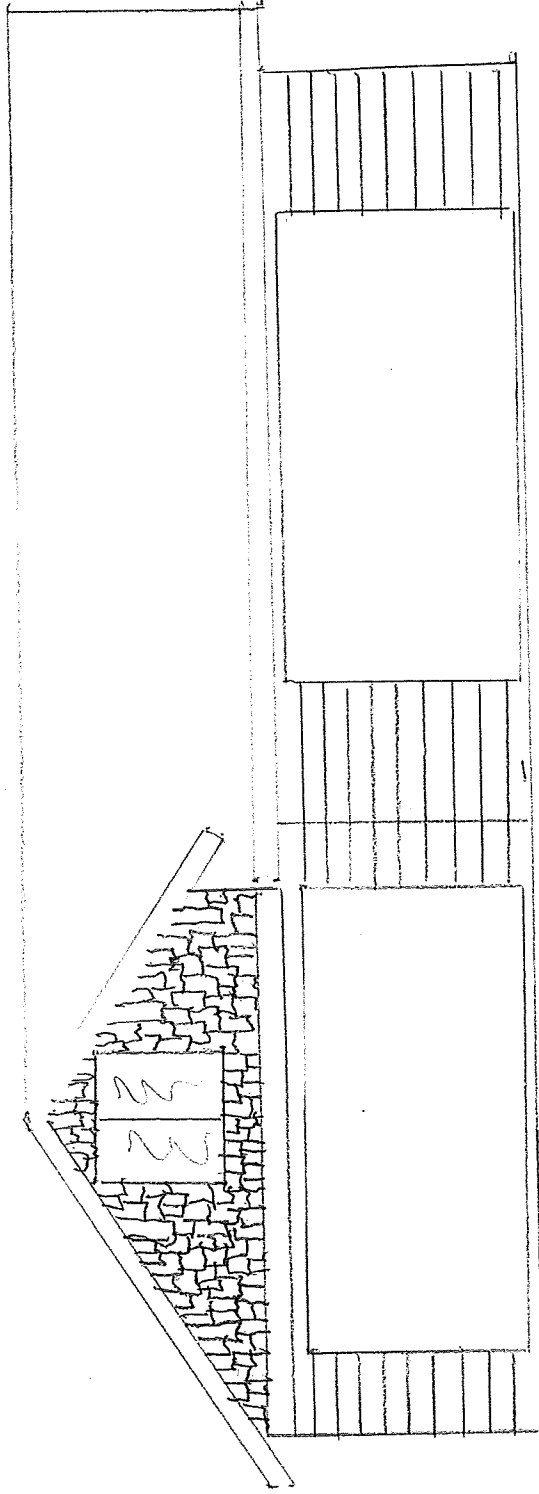
48'0"



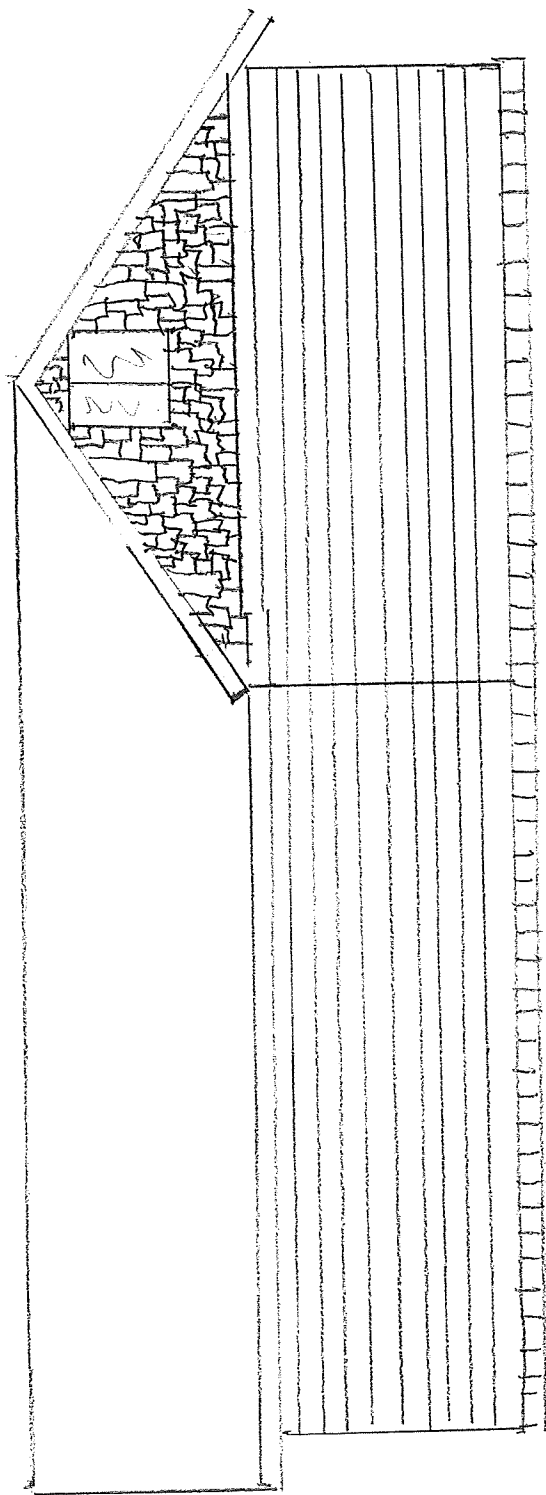
- Addition



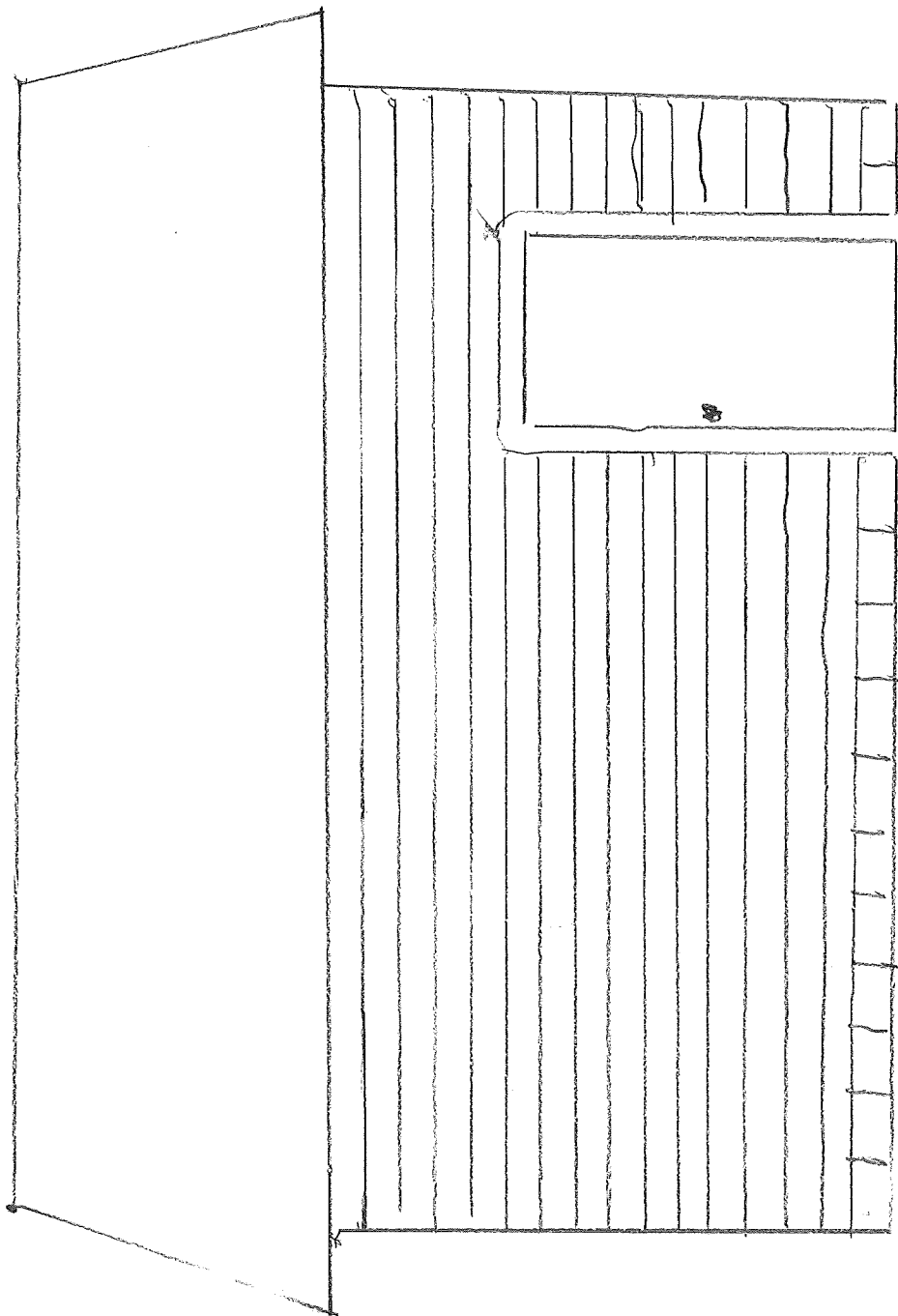
From North



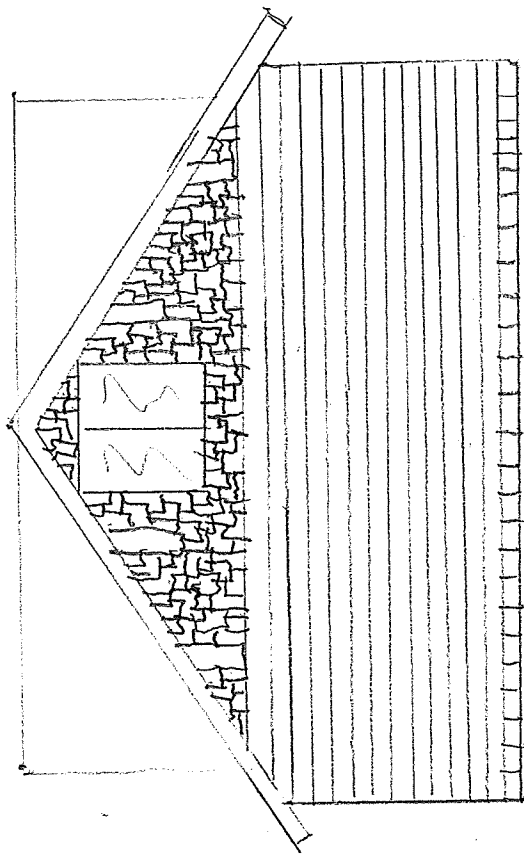
From South



From East



From West





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: 244188 ^{\$750.00} Permit Number: 240094V

Property Owner(s): Douglas & Terri Oster

Mailing Address: P.O. Box 283, CL, MN 56442

Site Address: 34792 East Shore Blvd.

Phone Number: 763-370-9746

E-Mail Address: osterdoug156@gmail.com

Parcel Number(s): 14290775

Legal Description: See current survey.

Sec 29 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Crosslake - Nelson Landing

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
71' need 75'
- ☐ 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) Doug Oster Date _____

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.

Need to be complete application - COS not signed - No Swamp detail - sign checklist/date app

For Office Use:

Application accepted by staff/5/31/24 Date CS/7-2-2024 Land Use District SD

Lake Class GD Septic: Compliance city SSTS Design city Installation city



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: Owner would propose a 26' x 28' addition to existing garage due to small size for parking vehicles. Addition would comply with all building codes set by City of Crosslake. Proposed addition will be 71' from Lake. Current garage is 48' from Lake. 16' setback from Wetland.

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

Yes ☒ No ☐

Why: Proposed garage addition will match the current house and garage in height, construction and color. - Pale green. The proposed addition would be hard to see by any close neighbors.

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 former owner built the current garage so small a normal SUV that my wife drives will not fit in it. This leaves no room for lawn and snow removal equipment. A 650' dirt driveway requires a lot of equipment especially snow removal tractors.

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

Yes ☒ No ☐

Why: My wife is an anesthetist in surgery at Brainerd Hospital. She needs access to the road at all times. Snow removal equipment needs room and she can't waste time clearing ice from her SUV in the middle of the night. I don't want the property looking like a junkyard or a abandoned lawn mowers for anyone to see.



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: