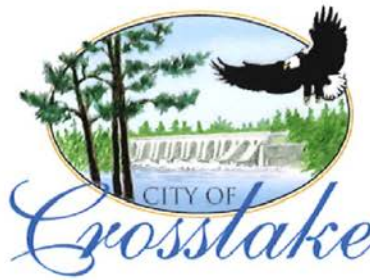


City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



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

CITY OF CROSSLAKE

PLANNING COMMISSION/BOARD OF ADJUSTMENT

November 22, 2024

9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: Bradley T & Sally M Deyak

Authorized Agent: N/A

Site Location: 37233 Twin Bay Drive, Crosslake, MN 56442 on Rush Lake - GD

Variance for:

- Lake setback of 34 feet where 75 feet is required to proposed deck
- Side yard setback of 6.7 feet where 10 feet is required to proposed deck

To construct:

- 375 square foot deck

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: Bradley T & Sally M Deyak

Parcel Number(s): 14070611

Application Submitted: October 8, 2024

Action Deadline: December 6, 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 34 feet where 75 feet is required to proposed deck
- Side yard setback of 6.7 feet where 10 feet is required to proposed deck

To construct:

- 375 square foot deck

Current Zoning: Shoreland District

Existing Impervious Coverage:

25.3%

Proposed Impervious Coverage:

25.3%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 4-26-2024

Parcel History:

- Anderson's Twin Bay Shores established in 1967
- September 1974 – 9x10 shed
- July 1997 – variance for 1 ½ story 30x42 cabin; staff recommended to decrease the size of the proposed cabin-see September 1998 variance request below
- June 1998 – upgrade septic holding tank, demo existing home, build 25x33 single story home with 4' walkway across front
- September 1998 – Approved variance to expand an existing cabin into a 25'x33' house at a setback of 52' from Rush Lake; conditions to limit to a single story, **copy of a pumping contract for the holding tanks** to be provided to P&Z office
- March 2006 – Add to existing rip rap & blanket
- October 2007 – Approved variance for a 280-sf garage at a side yard setback of 2ft and a right-of-way setback of 4.5ft with conditions of:

1. The proposed garage shall be completed exactly as shown in the plans submitted with the variance application.
 2. A zoning permit shall be required for the construction of the new garage.
 3. The existing concrete pad shall be removed from the property.
 4. The proposed garage shall have gutters and downspouts.
 5. Construction/silt fencing will be required to protect the septic system, neighboring properties, and Rush Lake during construction.
 6. The Certificate of Survey will be updated upon completion of the project to show the distances and dimensions as built.
- October 2007 – Permit for 19x14 (266 sf) garage

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:

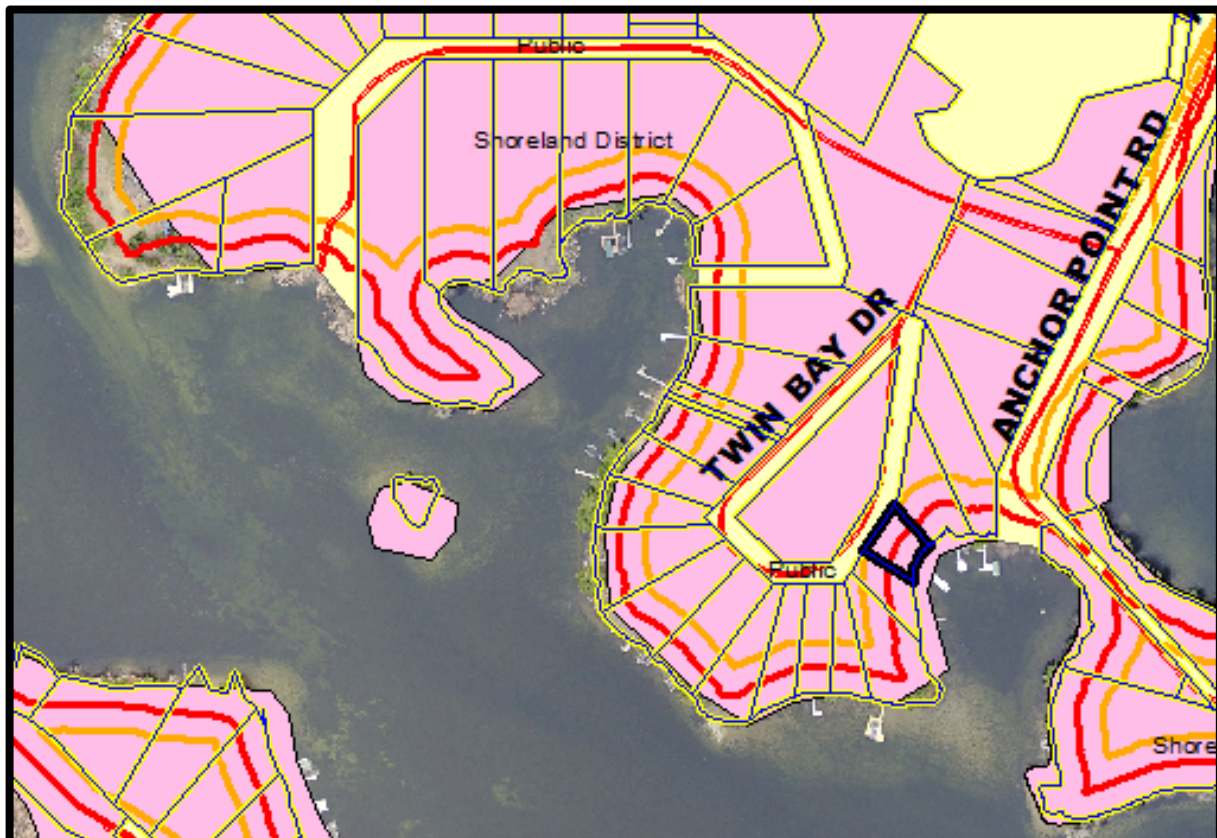
To approve/table/deny the variance to allow:

- Lake setback of 34 feet where 75 feet is required to proposed deck
- Side yard setback of 6.7 feet where 10 feet is required to proposed deck

To construct:

- 375 square foot deck

As shown on the certificate of survey dated 6-17-2024



Name Brad and Sally Deyak

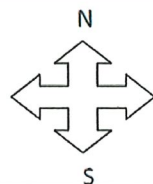
Date 10/7/2024

SITE PLAN

SIGNATURE

Parcel Code 14070611

Sally Deyak



CERTIFICATE OF SURVEY

LOT 16, BLOCK 1, ANDERSON'S TWIN BAY SHORES,
SECTION 7, TOWNSHIP 137 NORTH, RANGE 27 WEST,
CROW WING COUNTY, MINNESOTA
TOTAL AREA: 6,365 SQ. FT. ± / 0.2 ACRES ±

IMPERVIOUS CALCULATIONS

EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House	805	6,365	12.6%
Garage	279	6,365	4.4%
Shed	97	6,365	1.5%
Concrete & Pavers	69	6,365	0.9%
Gravel	312	6,365	4.9%
Total	1,612	6,365	25.3%

Existing Deck

Proposed Extension

39 feet - existing deck to lake

43 feet - house to lake

34 feet - proposed deck to lake

TWIN BAY DRIVE

ANDERSON'S TWIN BAY SHORES

N

RUSH LAKE

GENERAL DEVELOPMENT CLASSIFICATION

NORMAL RESERVOIR ELEVATION = 1229.57

100 YEAR FLOOD ELEVATION = 1231.00

HIGHEST KNOWN ELEVATION = 1229.35

INFORMATION OBTAINED FROM RECORDS OF ENGINEER

LAKES ELEVATION = 1229.44 10/6/5/2024

BASED ON NAD 83 DATUM

NOTES:

1. Survey conducted on 10/7/2024. Based on NAD 83 datum. Elevation values have been obtained using existing survey topographic control points. Field located on 10/7/2024.
2. Zoning for subject tract is "Residential Single-Family".
3. Parcel ID of subject parcel: 14070611.
4. The 1911 address of subject parcel: 11211 Twin Bay Drive.
5. Property is in "Zone X" and "Zone A" as per the FIRM, Flood Insurance Rate Map, "Zone A" definition: Areas of 100 year flood base elevation and flood hazard zones not otherwise defined. "Zone X" definition: Areas of 100 year flood base elevation and flood hazard zones not otherwise defined.
6. Approximate location of septic system per sketch provided by Sellers (HLL). Underground storage tank.
7. No wetlands were found on 10/7/2024. The site is in the 100 year flood zone.
8. After applying the City of Crow Wing setback requirements, there is no building, structure or other improvement on the site.
9. Survey was conducted by the City of Crow Wing, Minnesota. The survey was conducted by the City of Crow Wing, Minnesota. The survey was conducted by the City of Crow Wing, Minnesota.

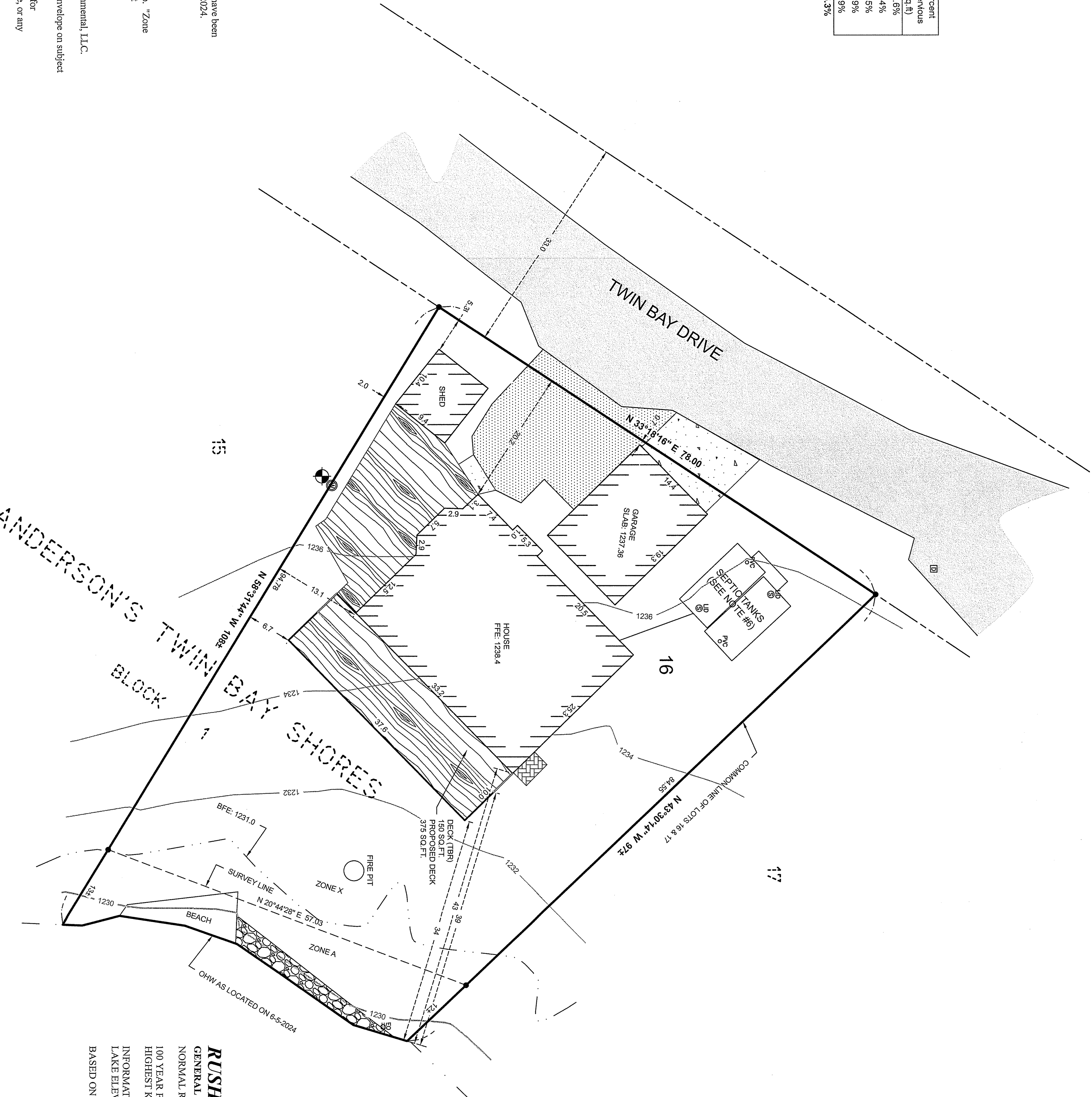
Please see reverse side for sample site plan and list of criteria required on the site plan.

CERTIFICATE OF SURVEY

LOT 16, BLOCK 1, ANDERSON'S TWIN BAY SHORES,
SECTION 7, TOWNSHIP 137 NORTH, RANGE 27 WEST,
CROW WING COUNTY, MINNESOTA

TOTAL AREA: 6,365 SQ.FT. ± / 0.2 ACRES ±

IMPERVIOUS CALCULATIONS			
EXISTING	IMPERVIOUS AREA (sq.ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
House	865	6,365	13.6%
Garage	279	6,365	4.4%
Shed	97	6,365	1.5%
Concrete & Pavers	59	6,365	0.9%
Gravel	312	6,365	4.9%
Total	1,612	6,365	25.3%



LEGEND

- BITUMINOUS
- GRAVEL
- CONCRETE
- PAVING STONES
- WOODEN DECKING
- RP-RAP
- EXISTING
- EXISTING INDEX
- EXISTING ELECTRIC OUTLET
- EXISTING WELL
- EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- EXISTING STORM SEWER CATCH BASIN
- TO BE REMOVED
- BENCHMARK
- HIGH POINT OF WELL
- BASED ON NGVD 29 DATUM
- MONUMENT FOUND

RUSH LAKE

GENERAL DEVELOPMENT CLASSIFICATION

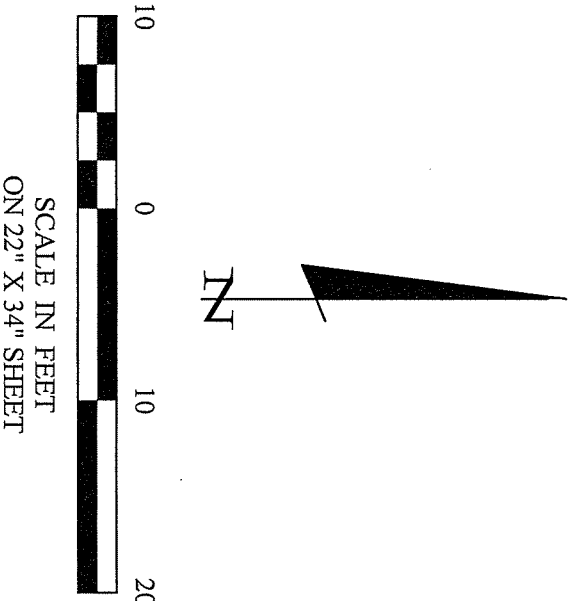
NORMAL RESERVOIR POOL ELEVATION = 1229.57

100 YEAR FLOOD ELEVATION = 1231.00

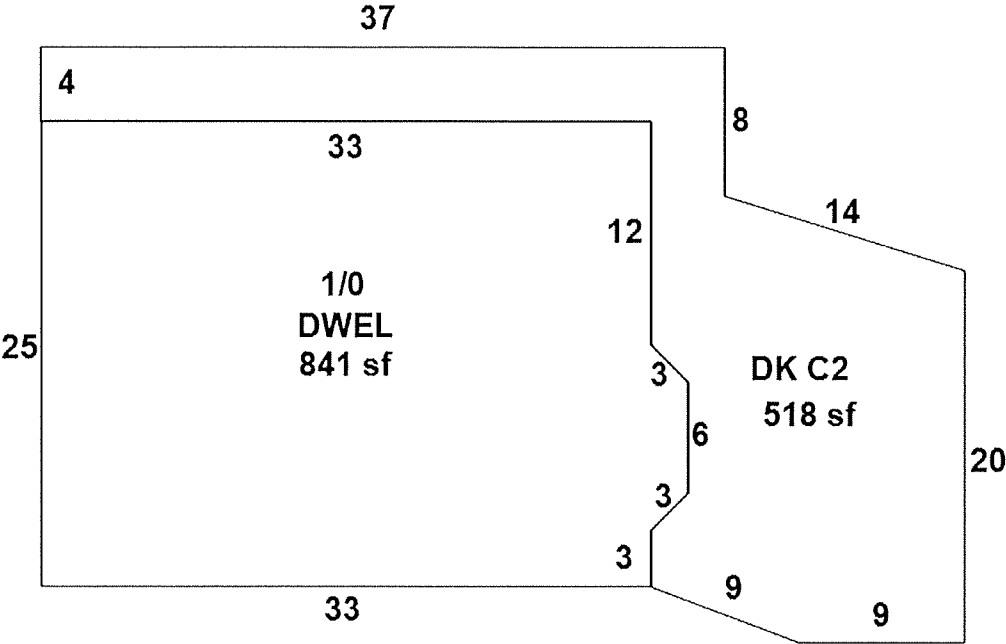
HIGHEST KNOWN ELEVATION = 1234.56

INFORMATION OBTAINED FROM CORPS OF ENGINEERS LAKE ELEVATION = 1229.44 ON 6-5-2024

BASED ON NGVD 29 DATUM



Crow Wing County GIS



Storm Water Management Plan – 37233 Twin Bay Drive, Crosslake, MN 56442

1. Introduction

The purpose of this Storm Water Management Plan is to outline strategies for managing storm water runoff from the proposed walkway deck expansion on our lake shore property. The goal is to minimize the impact on the lake's water quality, prevent erosion, and ensure compliance with local regulations.

2. Site Description

- **Location:** 37233 Twin Bay Drive, Crosslake, MN 56442
- **Area:** 6,365 SQ FT
- **Existing Structures:** Single Car Garage, 9x10 Shed/Bunkhouse, Home with existing 4-foot walkway deck
- **Proposed Changes:** Expansion of the walkway deck from 4 feet to 10 feet

3. Storm Water Management Goals

- Prevent storm water runoff from directly entering the lake.
- Reduce soil erosion and sediment transport.
- Enhance infiltration and groundwater recharge.
- Maintain or improve water quality in the lake.

4. Management Practices

A. Decking Materials

The expanded walkway deck will be constructed using materials that allow water to infiltrate through the surface, reducing runoff volume.

B. Plants and Vegetation

Plants and Vegetation will be present around the deck to help absorb any storm water runoff. It consists of native grasses, shrubs, and other vegetation.

C. Splash Pads

Placement of Splash Pads to either disperse the storm water and reduce surface runoff.

D. Gutters

Gutters exist on the garage and west side of the home to help disperse rainwater away from the buildings and in line with drainage direction.

E. Rock

Rock around the house and under the decking will help with the water absorption.

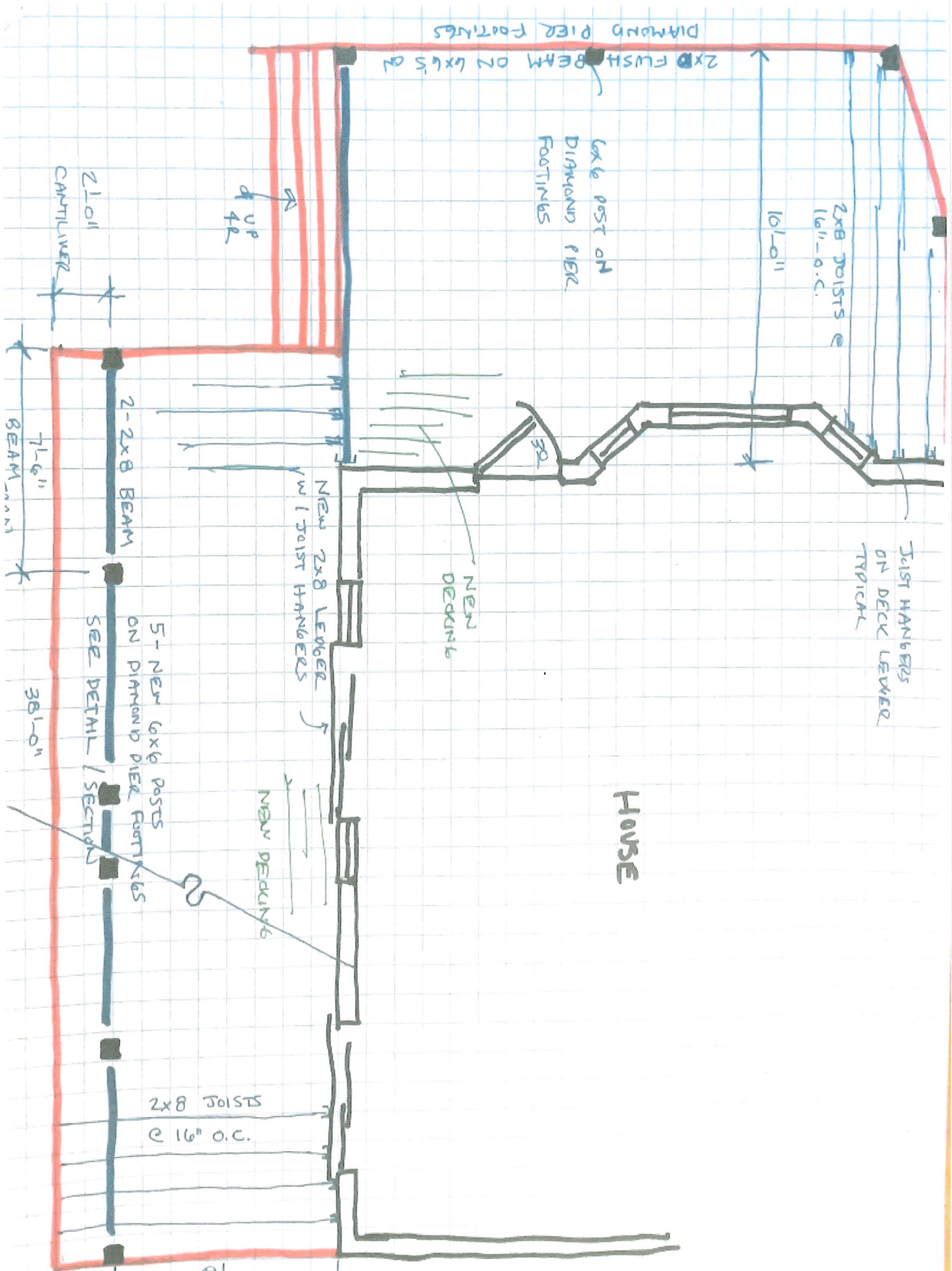
F. French Drain

The drain is underneath the rock between the house and the garage to help redirect any run-off water to a rocked area.

5. Conclusion

This Storm Water Management Plan outlines an approach to managing storm water runoff from the proposed walkway deck expansion. Our goal is to protect the lake's water quality, reduce erosion, and promote sustainable land use.





2x8 FLUSH BEAM ON 6x6'S

6x6 POST ON
DIAMOND PIER
FOOTINGS

2x8 JOISTS @
16" O.C.

10'-0"

JOIST HANGERS
ON DECK LEDGER
TYPICAL

NEW
DECKING

NEW 2x8 LEDGER
w/ JOIST HANGERS

NEW DECKING

5 - NEW 6x6 POSTS
ON DIAMOND PIER FOOTINGS

SEE DETAIL / SECTION

2x8 JOISTS
@ 16" O.C.

HOUSE

2x8

2-2x8 BEAM

7'-6"

BEAM

38'-0"

2x8 Joists @ 16' o.c.

DOUBLE 2x8
BEAM

6x6 POST

GRADE

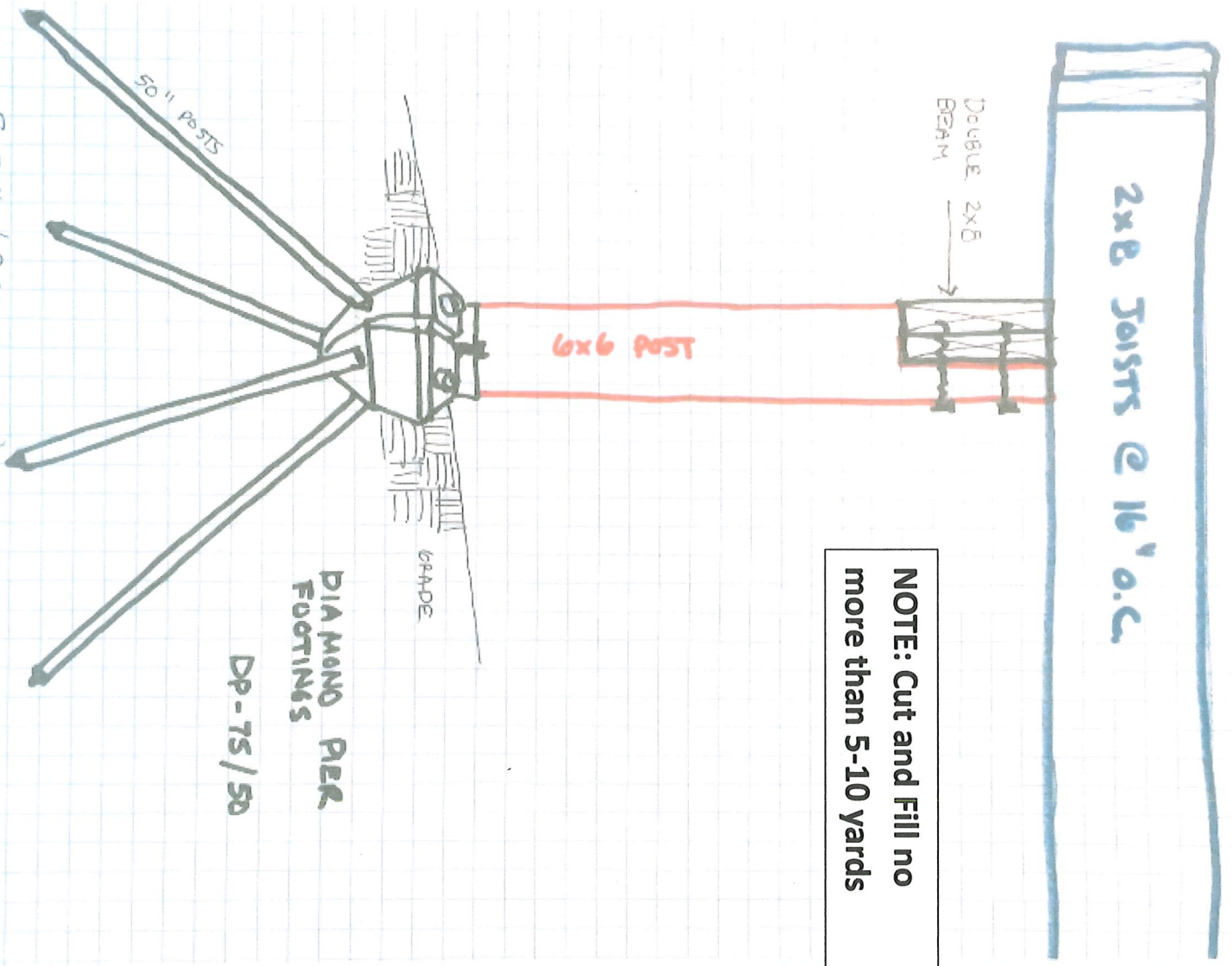
DIAMOND PIER
FOOTINGS

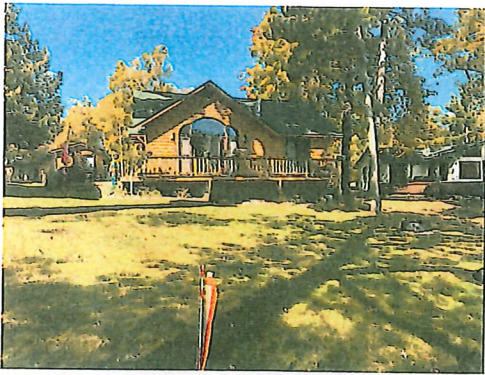
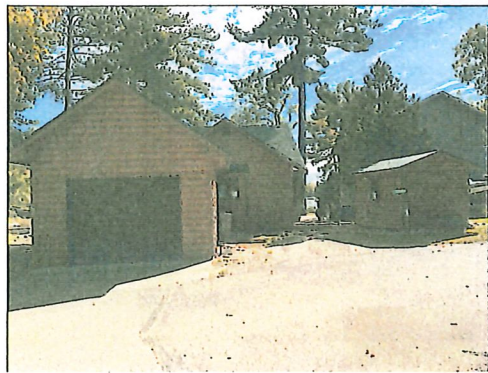
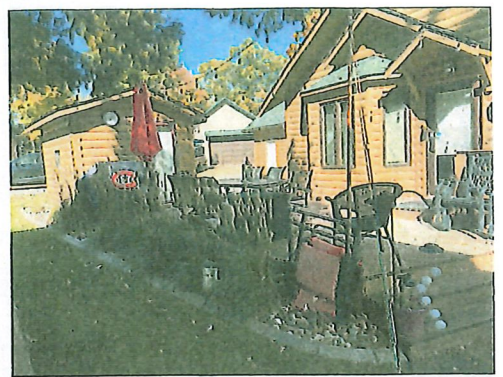
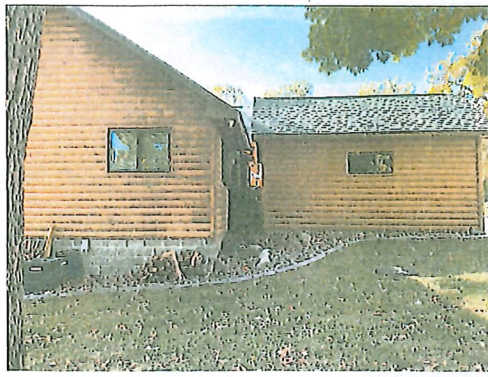
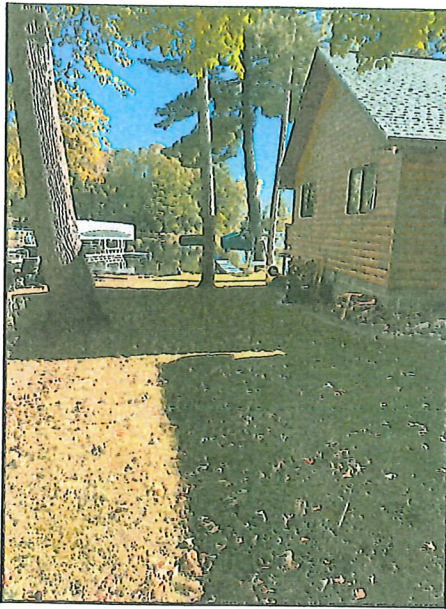
DP-75/50

50" POSTS

FOOTING / POST SECTION

NOTE: Cut and Fill no
more than 5-10 yards







Variance Application

Planning and Zoning Department

13888 Daggett Bay Road, Crosslake, MN 56442

218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

BRADLEY T. DEYAK

Receipt Number: 244302

Permit Number:

240201V

Property Owner(s): Brad & Sally Deyak

Mailing Address: 37233 Twin Bay Drive, Crosslake, MN 56442

Site Address: 37233 Twin Bay Drive, Crosslake, MN 56442

Phone Number: Sally: 320-493-7894 Brad: 320-492-8034

E-Mail Address: salsdivot@hotmail.com

Parcel Number(s): 14070611

Legal Description: Lot 16, Block 1, Anderson Twin Bay Shores, Section 7 Township 137 North, Range 27 West

Sec 07 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Rush

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

If yes list Parcel Number(s)

Authorized Agent:

Agent Address:

Agent Phone Number:

Signature of Property Owner(s) Sally Deyak Brad Deyak

Date 10/7/2024

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 10-8-24 Land Use District SD

Lake Class GD Septic: Compliance 4-26-24 SSTS Design n/a Installation existing

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
- ☐
- ☐



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 ☐

We are proposing to use the property in a reasonable manner by expanding the walkway deck from 4 feet to 10 feet. The proposed expansion is intended to provide safer access to the home and lake, accommodating the needs of homeowners (us) and visitors, including those with mobility issues. This modification aligns with the intended residential and recreational use of the property and does not involve any commercial or industrial activity that would be incompatible with the current land use designation.

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

Yes ☒ No ☐

The issuance of a Variance will maintain the essential character of the neighborhood and community. The proposed walkway deck expansion is designed to blend with the existing aesthetic of the surrounding properties and the natural environment. Many neighboring properties already have similar structures, and the expanded deck will not obstruct views or significantly alter the visual landscape. By ensuring that the design and materials used are consistent with local architectural styles and environmental standards, the variance will uphold the lakeshore community's character and appeal.

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

Yes ☒ No ☐

The need for a Variance is due to unique circumstances inherent to the property and not created by the property owner. The property's topography includes a gradual incline to the lakeshore, the extension of the walkway/deck from 4 feet to 10 feet ensures stability and provides a more accessible entry to the home from the lakeside. This reduces the risk of accidents and provides extra safety, especially family members who are elderly or disabled individuals.

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

Yes ☒ No ☐

The need for the Variance involves more than economic considerations. While the expansion may have some financial implications, the primary motivations are safety, accessibility, and environmental stewardship. A wider walkway deck will provide for a safe space to promote inclusivity by accommodating people with mobility challenges. Our intent is to preserve the natural landscape while also enhancing the accessibility to our home for visitors beyond any economic gain.



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: