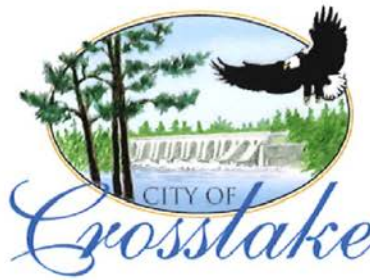


City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



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

---

**CITY OF CROSSLAKE  
PLANNING COMMISSION/BOARD OF ADJUSTMENT**

August 22, 2025

**9:00 A.M.**

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

**PUBLIC HEARING NOTICE**

**Applicant:** Todd J & Patricia J Yager

**Authorized Agent:** Dan Berning

**Site Location:** 11543 Manhattan Point Blvd, Crosslake, MN 56442 on Big Trout Lake - GD

**Variance for:**

- Bluff encroachment of 18.2 feet where none is allowed for a proposed dwelling
- Bluff impact zone setback of 0 feet (ft) where 30 ft is required to proposed dwelling
- Bluff encroachment of 24.9 feet where none is allowed for a proposed patio extension
- Dirt moving in the bluff impact zone, where Chapter 26 states dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under Section 26-313, for a proposed dwelling
- Existing Tank setback of 8.3 feet where 10 feet is required to proposed dwelling

**To construct:**

- 1,474 square foot dwelling, entrance & screen porch
- 49 square foot patio extension with all being within the bluff zone
- 182 square foot patio/walkway in the bluff and bluff impact zone
- Foundation fill to consist of 93 yards to excavate & 93 yards for backfill
- Dirt moving in the bluff and bluff impact zone for a proposed dwelling

**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](mailto:crosslakepz@cityofcrosslake.org)).



## STAFF REPORT

Property Owner/Applicant: Todd J & Patricia J Yager

Parcel Number(s): 14010564, 14010565

Application Submitted: July 2, 2025

Action Deadline: August 31, 2025

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

Applicant Extension Received / Request: NA / NA

City Council Date: NA

**Authorized Agent:** Dan Berning, Ziegler Custom Homes, Inc.

### Variance for:

- Bluff encroachment of 18.2 feet where none is allowed for a proposed dwelling
- Bluff impact zone setback of 0 feet (ft) where 30 ft is required to proposed dwelling
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- 1,474 square foot dwelling, entrance & screen porch
- 49 square foot patio extension with all being within the bluff zone
- 182 square foot patio/walkway in the bluff and bluff impact zone
- Foundation fill to consist of 93 yards to excavate & 93 yards for backfill
- Dirt moving in the bluff and bluff impact zone for a proposed dwelling

**Current Zoning:** Shoreland District

### Existing Impervious Coverage:

23.3%

### Proposed Impervious Coverage:

24.8%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 6-19-2025

### Parcel History:

- Manhattan Beach Second Addition established in 1927
- June 1998 – Variance for 8x16 lakeside addition less than 30' from top of bluff; 24x30 garage setback of 2' from side lot line
- September 1998 – Variance for 24x40 garage; 16x17 lake side addition to enlarge an existing living room

- November 2000 – Variance extension with conditions-one of them being that the garage not contain guest quarters
- November 2000 – Variance approved to construct 8’x9’ addition and an 8’x15’ deck
- November 2001 – 24x30 garage; 10x17 master bedroom to east; 9x24 addition to the north; 9x16 deck to the northeast
- July 2018 – Last 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:**

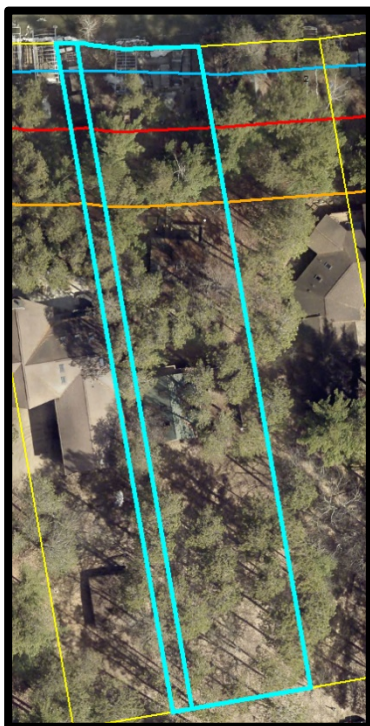
To approve/table/deny the variance to allow:

- Bluff encroachment of 18.2 feet where none is allowed for a proposed dwelling
- Bluff impact zone setback of 0 feet (ft) where 30 ft is required to proposed dwelling
- Bluff encroachment of 24.9 feet where none is allowed for a proposed patio extension
- Dirt moving in the bluff impact zone, where Chapter 26 states dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under Section 26-313, for a proposed dwelling
- Existing Tank setback of 8.3 feet where 10 feet is required to proposed dwelling

### **To construct:**

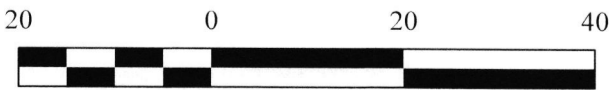
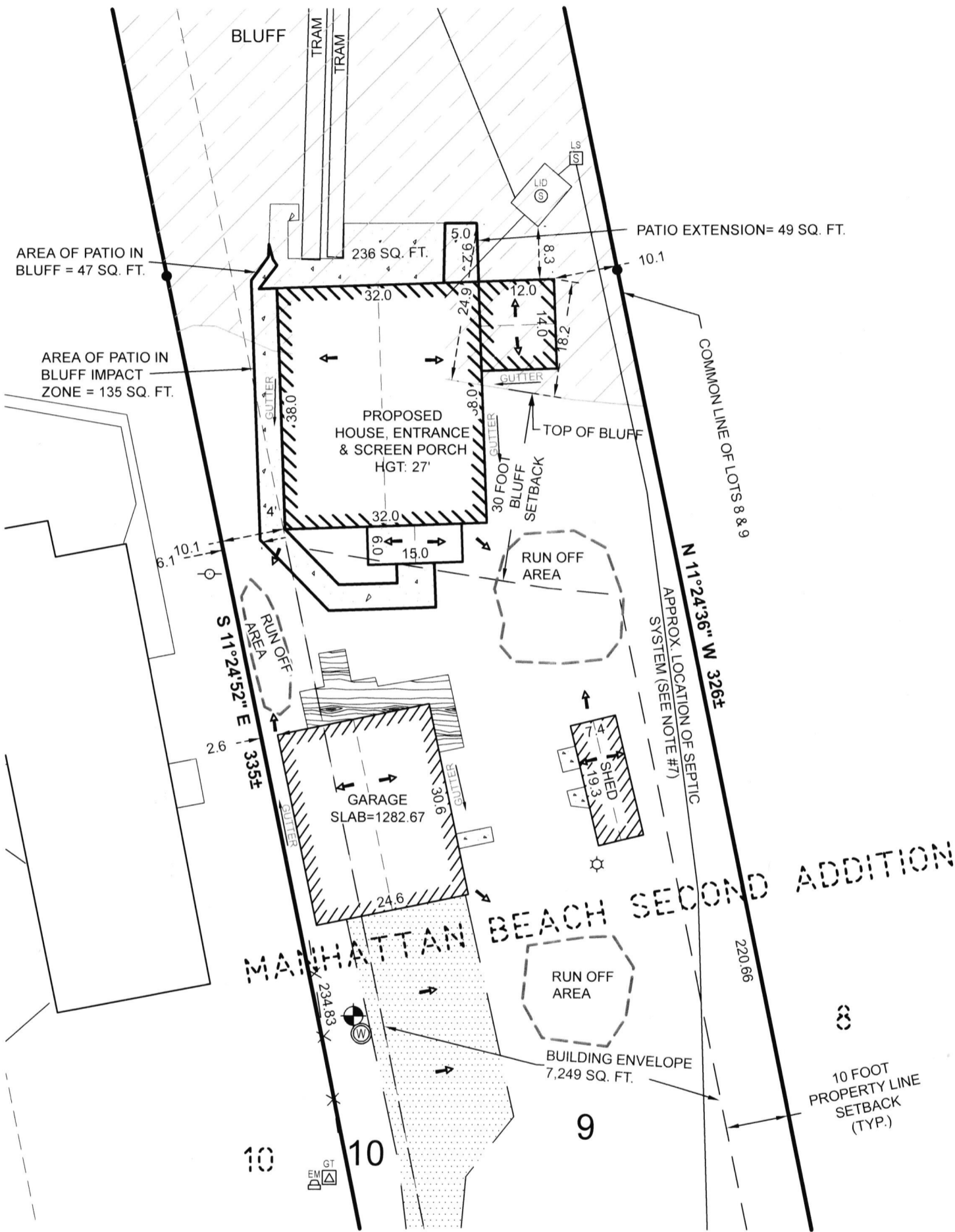
- 1,474 square foot dwelling, entrance & screen porch
- 49 square foot patio extension with all being within the bluff zone
- 182 square foot patio/walkway in the bluff and bluff impact zone
- Foundation fill to consist of 93 yards to excavate & 93 yards for backfill
- Dirt moving in the bluff and bluff impact zone for a proposed dwelling

As shown on the certificate of survey dated 7-30-2025





EXHIBIT



SCALE IN FEET  
ON 11" X 17" SHEET

PATTIE YAGER  
PROJECT NO. 24275-1  
DATE: 7-30-2025



30206 Rasmussen Road  
Suite 1  
P. O. Box 874  
Pequot Lakes, MN 56472  
218-568-4940  
www.stonemarksurvey.com

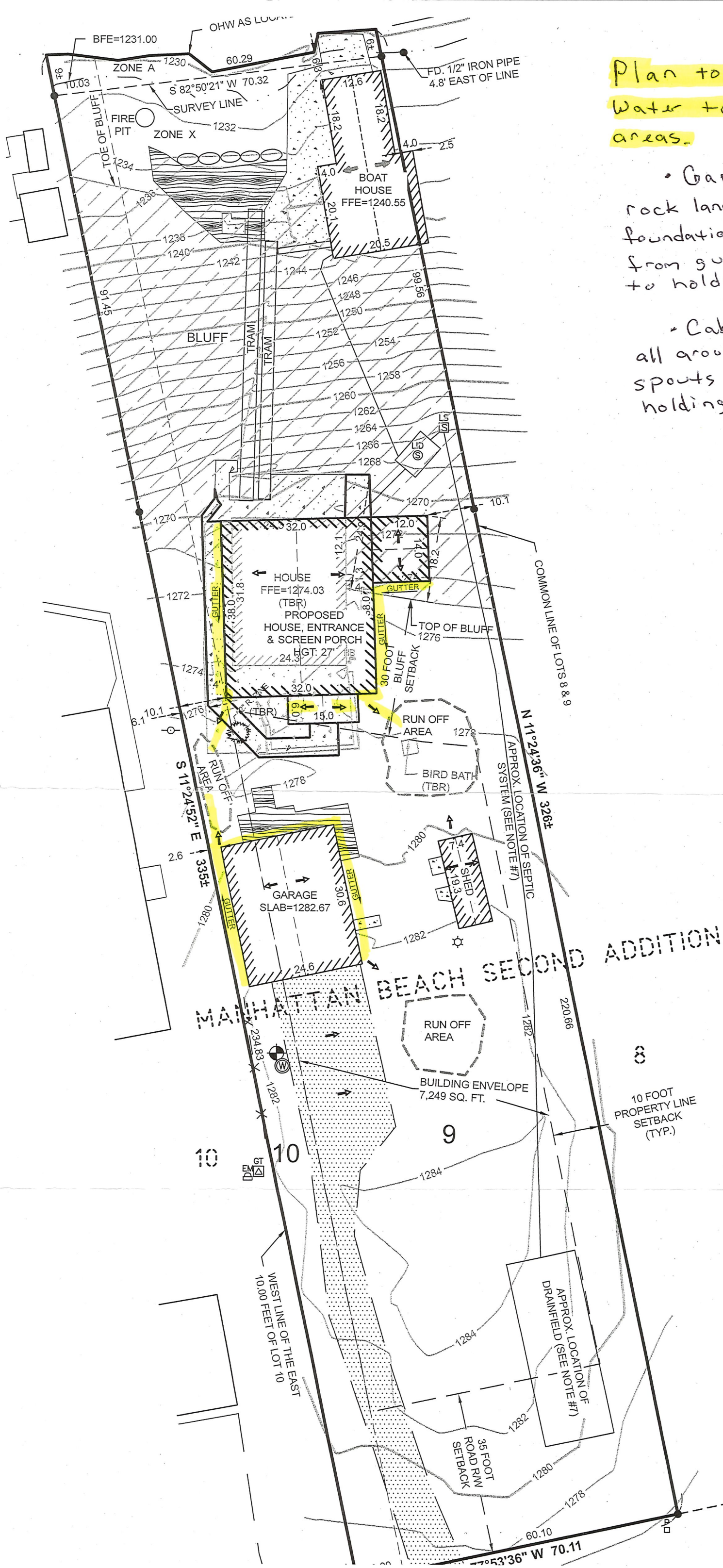
Todd and Patti Yager  
11534 Manhattan Point Blvd.  
Crosslake, MN 56442

**Cut / Fill Quantities for Proposed New Structure**

93 Yards of fill excavated for foundation

93 Yards of fill used for backfill around new foundation

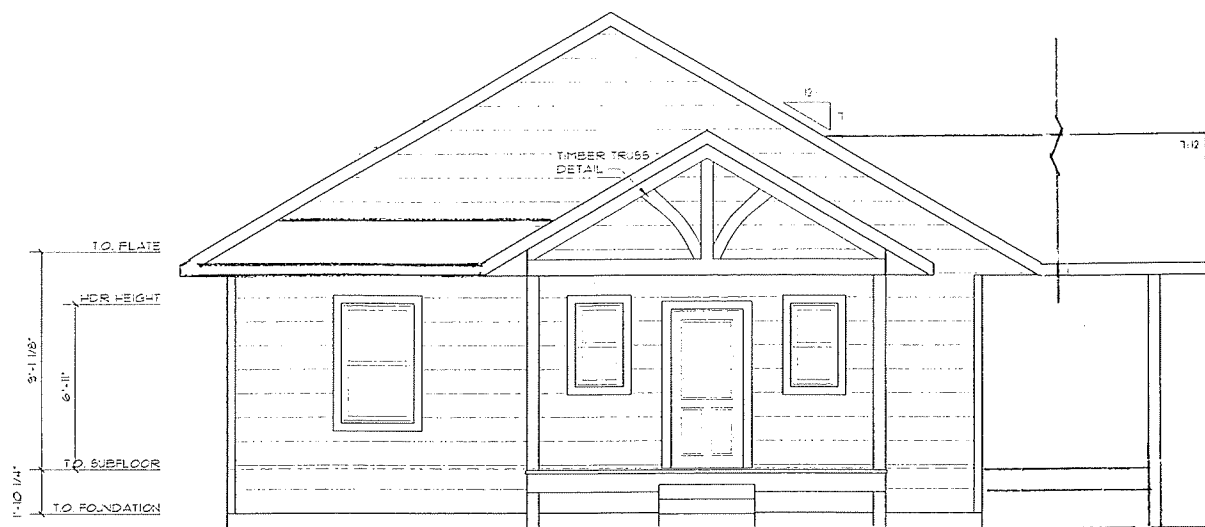
Fill will balance out with no additional fill brought in



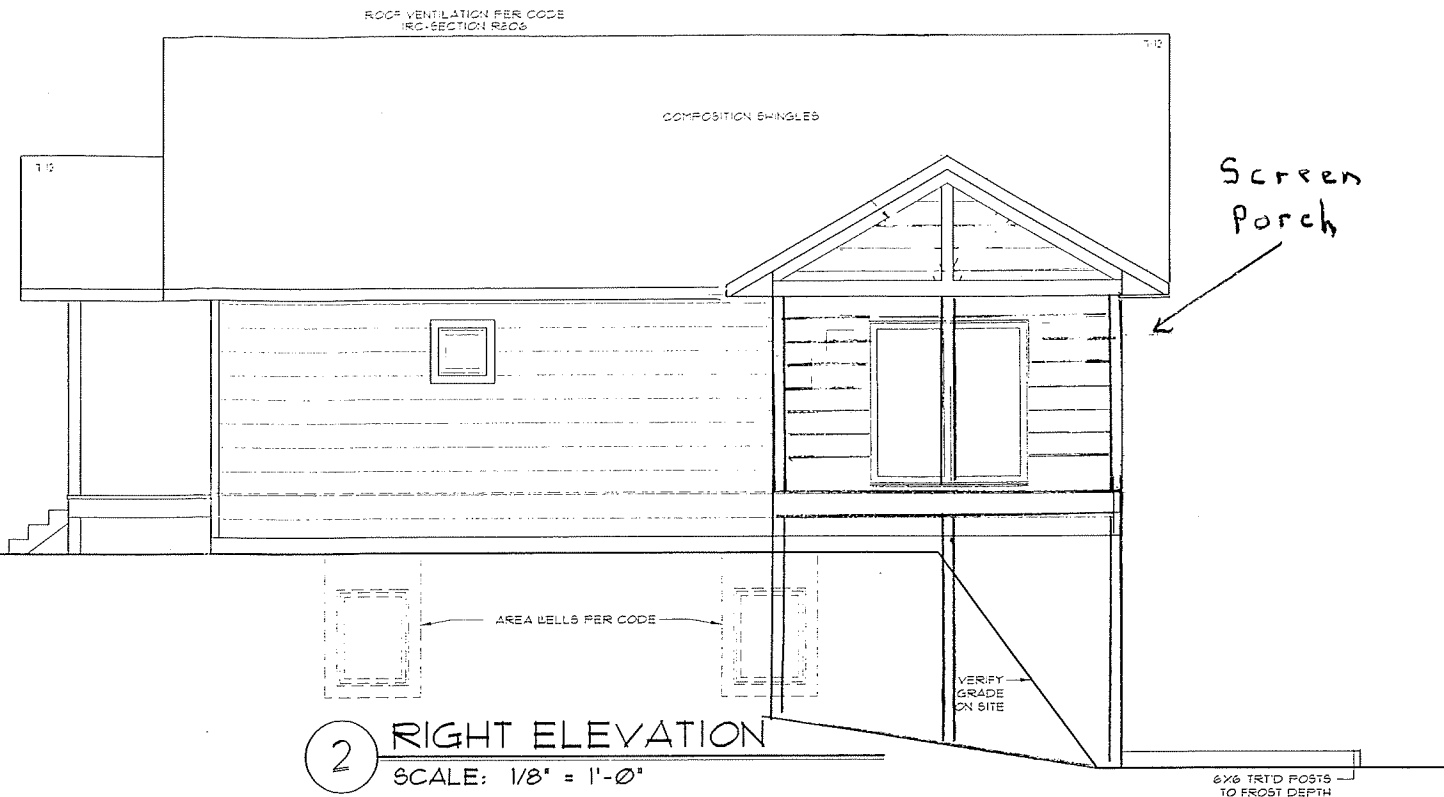
Plan to get Storm  
Water to run off  
areas.

• Garage - 2 foot  
rock landscaping around  
foundation where water  
from gutters will travel  
to holding areas.

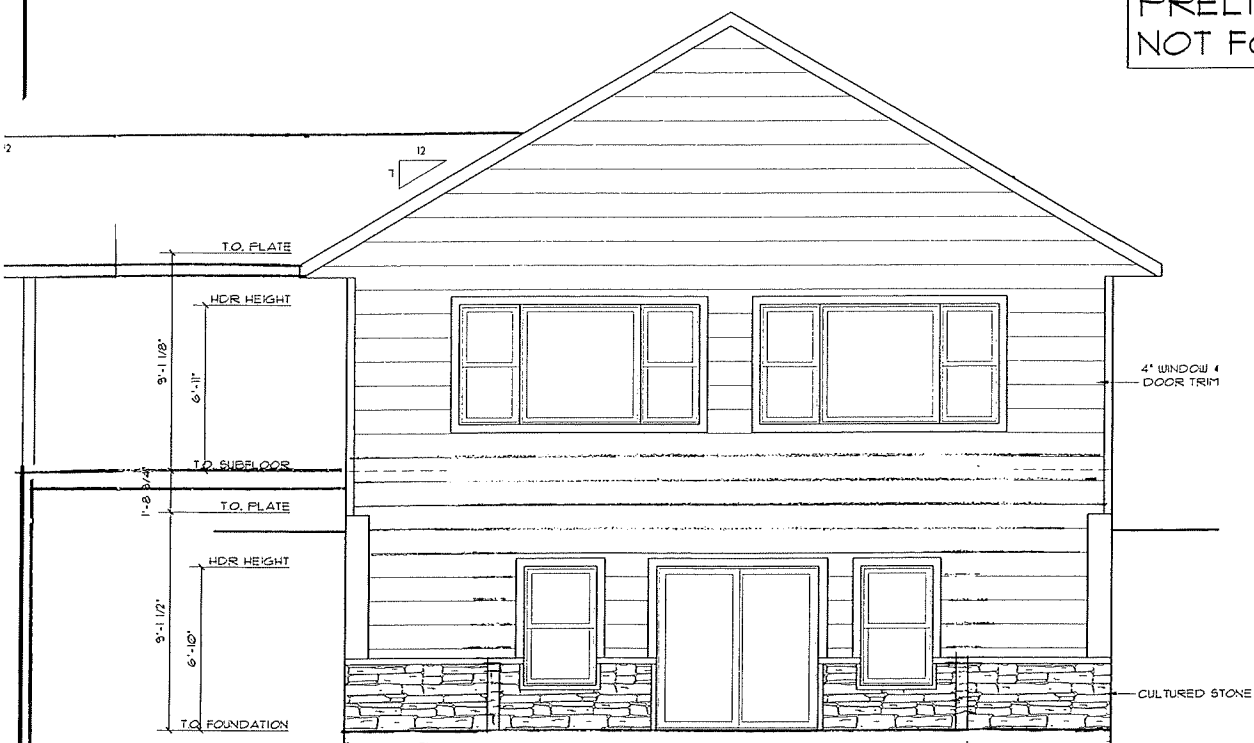
• Cabin - gutters  
all around with down  
spouts leading to  
holding areas.



1 FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

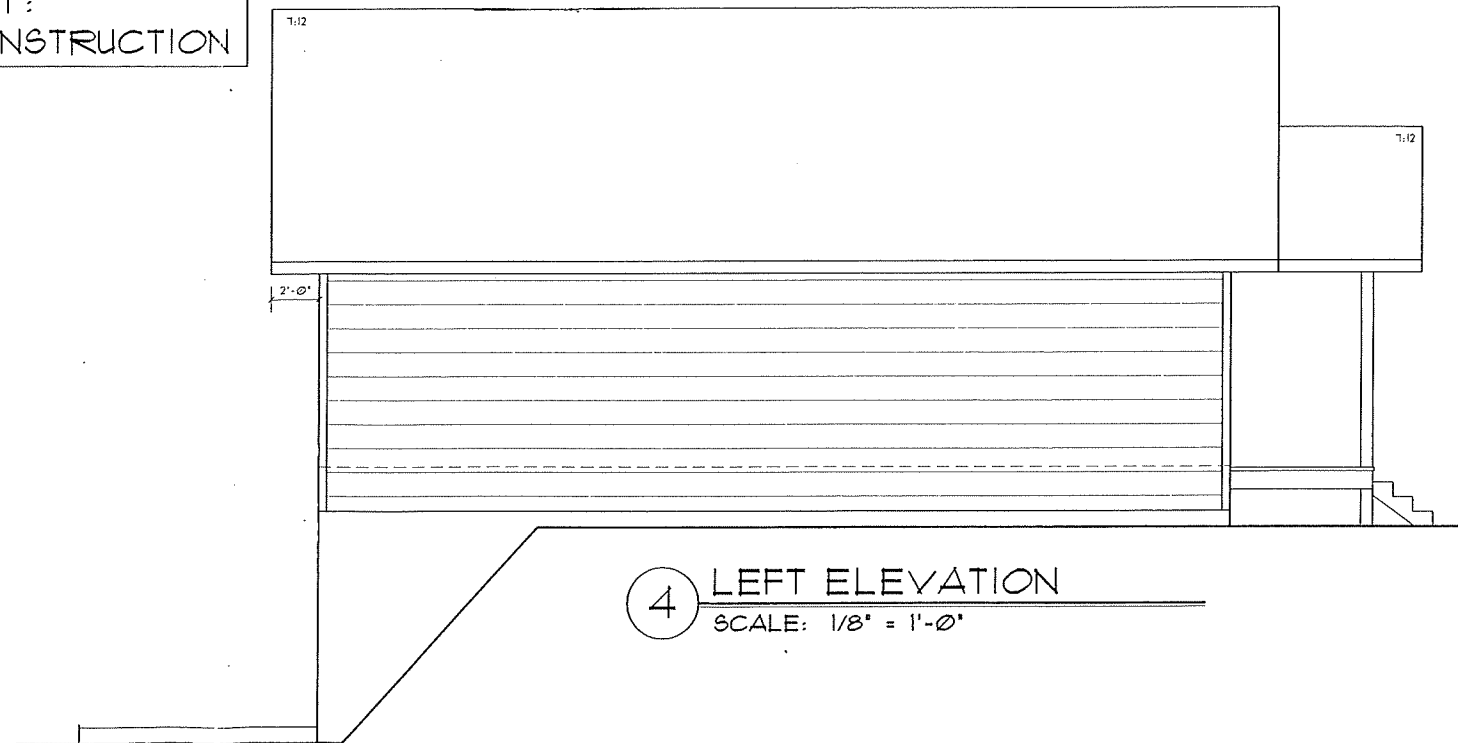


2 RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"



3 LAKESIDE ELEVATION  
SCALE: 1/8" = 1'-0"

PRELIMINARY:  
NOT FOR CONSTRUCTION



4 LEFT ELEVATION  
SCALE: 1/8" = 1'-0"

#### DISCLAIMER OF WARRANTIES

The plans furnished herewith were prepared upon request by architect who are not registered architects or professional engineers and are for INFORMATION PURPOSES ONLY. The Design Team makes NO WARRANTIES WHATSOEVER EITHER EXPRESSED OR IMPLIED as to merchantability or fitness for a particular purpose and places any user(s) on notice that reliance upon said plans shall be at the sole risk of the user(s). The selection of correct structural materials and the application of architectural principles is a precise art, the responsibility for which rests with the builder, the owner, or the user of these plans.

THE DESIGN TEAM  
Home Design Specialists

2465 12th Street SE, St. Cloud, MN 56304  
Phone: (320) 252-1517 Fax: (320) 252-1518

YAGER, TODD & PATTI  
YAGER RESIDENCE

ELEVATIONS

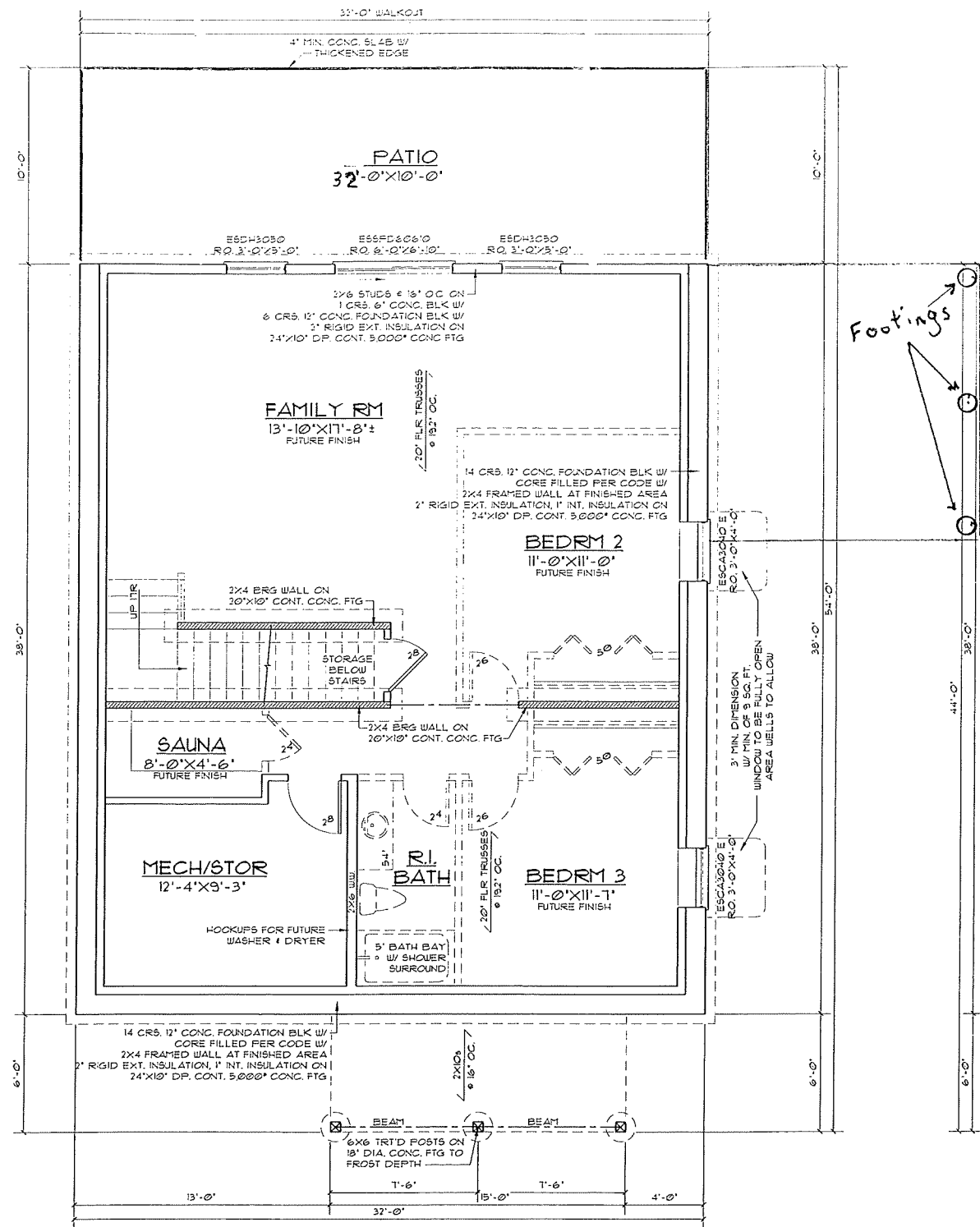
JOB NUMBER: 49622001		
FILE NUMBER: 4962200122		
DATE: 3/10/22	DRAWN: MM	CHKD: TP
REVISION: 3/16/22	MM	TP
REVISION: 3/23/22	MM	
REVISION:		
REVISION:		

ELEVATIONS

A-1

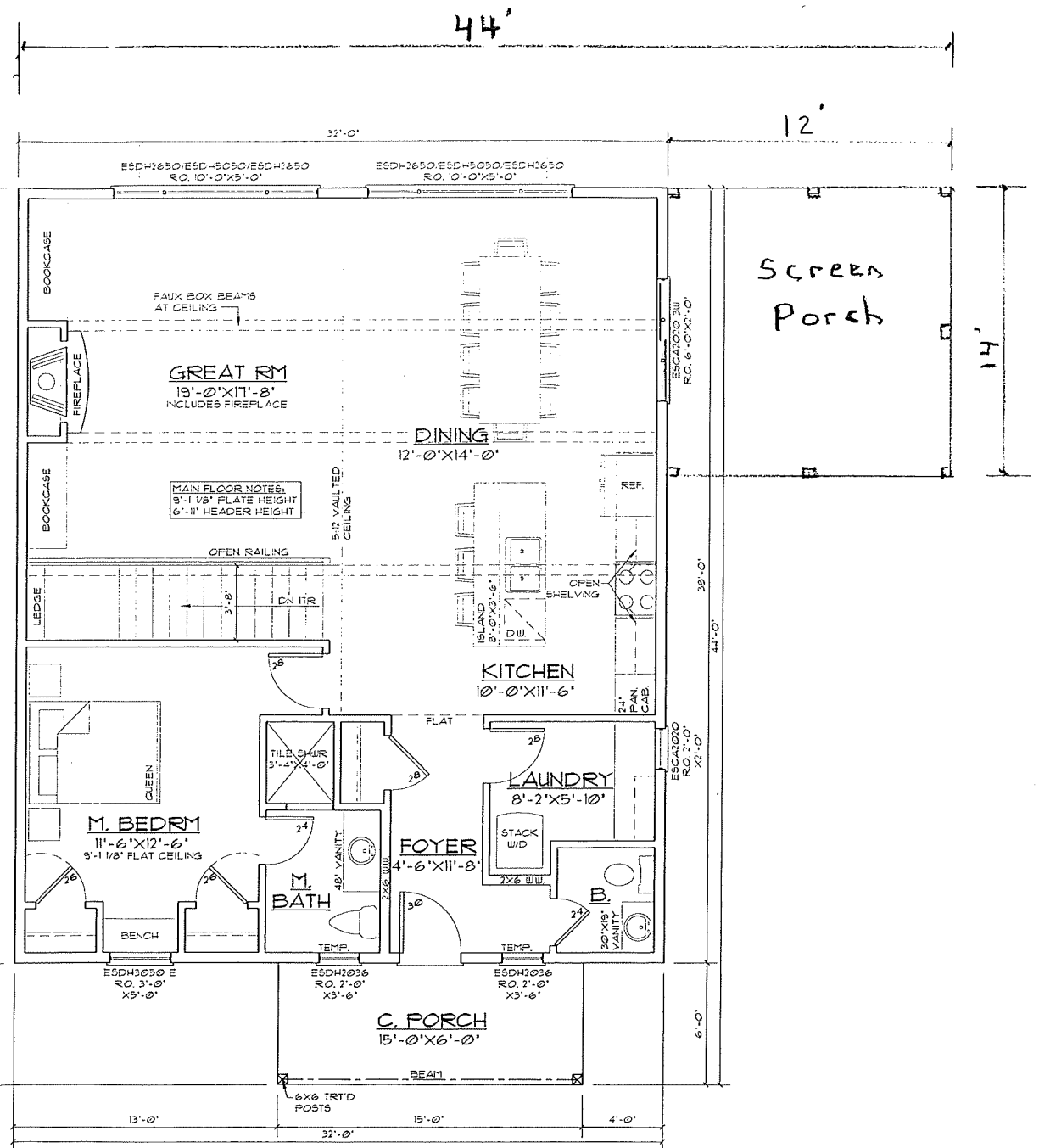
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PRELIMINARY:  
NOT FOR CONSTRUCTION



1 BASEMENT FLOOR PLAN  
SCALE: 1/8" = 1'-0"

BASEMENT	1216	SQ. FT.
MAIN FLOOR w/PORCH	1384	SQ. FT.
TOTAL	2600	SQ. FT.
PATIO	320	SQ. FT.
FRONT PORCH	90	SQ. FT.



2 MAIN FLOOR PLAN  
SCALE: 1/8" = 1'-0"

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YAGER RESIDENCE

FLOOR PLANS

A-2

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JOB NUMBER:	49622001				
FILE NUMBER:	4962200122				
DATE:	3/10/22	DRAFT:	MM	OK'D:	TP
REVISED:	3/16/22	MM	TP		
REVISED:	3/23/22	MM			
REVISED:					
REVISED:					
REVISED:					

**TYPICAL ROOF CONSTRUCTION:**  
COMPOSITION SHINGLES ON  
5" ROOF FELT ON  
5/8" ROOF SHEATHING ON  
PRE MANUFACTURED ROOF TRUSSES  
ICE & WATER SHIELD 24" EAST EXTERIOR WALLS  
PROPER VENTS

**TYPICAL FASCIA DETAIL:**  
7/8" SUB FASCIA  
MAINTENANCE-FREE FASCIA COVER  
MAINTENANCE-FREE VENTED SOFFIT

**TYPICAL EXT. WALL CONSTRUCTION:**  
TYVEK HOUSE WRAP OR EQUAL ENTIRE EXTERIOR  
7/8" WALL SHEATHING ON  
2"x6" FREQUENT STUDS @ 16" O.C.  
R-21 BATT INSULATION  
4 MIL. POLY  
1/2" DRYWALL

**TYPICAL FND. WALL CONSTRUCTION:**  
14 CRS. 12" CONC. FOUNDATION BLK W/  
CORE FILLED PER CODE  
REINFORCING PER CODE, SOIL CONDITIONS  
EXTERIOR WATER PROOFING  
2" RIGID EXTERIOR INSULATION 1" INTERIOR INSULATION  
ON 24"x10" DP. CONT. 5,000 PSI CONC. FOOTINGS W/  
REINFORCING AS REQUIRED

**TYPICAL SLAB NOTE**  
POLY VAPOR BARRIER UNDER SLAB,  
LAPPED 12"  
4" MIN. FOUNDED CONC. FLOOR  
REINFORCING PER CODE

# 1 WALL SECTION

SCALE: 1/8" = 1'-0"

**TYPICAL ROOF CONSTRUCTION:**  
COMPOSITION SHINGLES ON  
5" ROOF FELT ON  
5/8" ROOF SHEATHING ON  
PRE MANUFACTURED ROOF TRUSSES  
ICE & WATER SHIELD 24" EAST EXTERIOR WALLS  
PROPER VENTS

**TYPICAL FASCIA DETAIL:**  
7/8" SUB FASCIA  
MAINTENANCE-FREE FASCIA COVER  
MAINTENANCE-FREE VENTED SOFFIT

**TYPICAL EXT. WALL CONSTRUCTION:**  
TYVEK HOUSE WRAP OR EQUAL ENTIRE EXTERIOR  
7/8" WALL SHEATHING ON  
2"x6" FREQUENT STUDS @ 16" O.C.  
R-21 BATT INSULATION  
4 MIL. POLY  
1/2" DRYWALL

**TYPICAL FLOOR CONSTRUCTION:**  
3/4" TAG SUB FLOOR SHEATHING (GLUED & NAILED)  
ON 20" FLOOR TRUSSES  
(SEE PLANS FOR SPACING & DIRECTION)  
SPRAY FOAM INSULATION @ R11 JOIST

**TYPICAL FND. WALL CONSTRUCTION:**  
14 CRS. 6" CONC. FOUNDATION BLK W/  
6 CRS. 12" CONC. FOUNDATION BLK W/  
REINFORCING PER CODE, SOIL CONDITIONS  
EXTERIOR WATER PROOFING  
2" RIGID EXTERIOR INSULATION  
ON 24"x10" DP. CONT. 5,000 PSI CONC. FOOTINGS W/  
REINFORCING AS REQUIRED

**TYPICAL SLAB NOTE**  
POLY VAPOR BARRIER UNDER SLAB,  
LAPPED 12"  
4" MIN. FOUNDED CONC. FLOOR  
REINFORCING PER CODE

# 2 WALKOUT WALL SECTION

SCALE: 1/8" = 1'-0"

# 3 STAIR SECTION

SCALE: 1/8" = 1'-0"

PRELIMINARY:  
NOT FOR CONSTRUCTION

# 4 ROOF PLAN

SCALE: 1/16" = 1'-0"

## GENERAL NOTES:

### 2020 IRC CODES APPLY:

TRUSS MANUFACTURER TO VERIFY HEADER/BEAM  
SIZES AND POINT LOADS WHERE GIRDERS  
EXERT CONCENTRATED LOADS. LAYOUT TO BE  
VERIFIED PRIOR TO CONSTRUCTION

TALL WALL SITUATIONS REQUIRE ENGINEERING.  
DESIGN PROVIDED BY OTHERS

THERMO TECH WINDOWS ARE CALLED OUT  
8' CEILING HEIGHT UNLESS NOTED  
6'-11" HEADER HEIGHT UNLESS NOTED  
42" MIN. DEPTH REQ'D FOR ALL  
FROST FOOTINGS

FND. REINFORCING (1) 4 REBAR SPACING PER CODE/  
SOIL CONDITIONS & WITHIN 12" FROM CORNER

FOOTING REINFORCEMENT AS REQUIRED

SOLID BEARING REQ'D @ ALL BEAMS & HEADERS  
ANCHOR BOLTS @ 6' O.C.

ALL TRUSSES ARE TO BE ENGINEERED & INSTALLED  
ACCORDING TO TRUSS MANUFACTURER. ALL BONUS  
ROOMS TO BE VERIFIED BY TRUSS MANUFACTURER  
PRIOR TO CONSTRUCTION

30" MIN. REQ'D WIDTH @ TOILETS

SAFETY GLAZING REQ'D FOR ALL GLASS WITHIN  
18" OF FLOOR AND GREATER THAN 9 SQ. FT. IN AREA

SAFETY GLAZING REQ'D FOR ALL GLASS  
WITHIN 24" ARC OF DOORS

VAPOR RETARDER REQ'D UNDER ALL CONC.  
SLABS IN HABITABLE AREA

ROOF VENTILATION PER CODE  
IRC-SECTION R806

CARBON MONOXIDE DETECTOR REQ'D WITHIN  
10' OF ALL SLEEPING ROOMS

WINDOWS TO BE CAULKED AND TAPED  
SILL SEALER TO BE INSTALLED UNDER  
ALL SILL PLATES

SEALED, CONTINUOUS AIR AND VAPOR BARRIER TO  
BE INSTALLED ON WARM SIDE OF EXTERIOR WALLS,  
WITH ALL JOINTS, OPENINGS, AND PENETRATIONS  
SEALED IN A PERMANENT MANNER

UNSUPPORTED SHEATHING JOINTS TO BE SEALED  
ON EXTERIOR OF JOINT

AIR BARRIER ON EXTERIOR OF HOME TO BE  
WITH J-BLOCKS OR SOLID WOOD BLOCK FOR  
PENETRATIONS

ATTIC ACCESS TO BE SEALED WITH SPRAY TEXTURE  
OR CAULK

92% SEALED COMBUSTION FURNACE

AIR EXCHANGER OR IN LINE FAN

DIRECT VENT GAS WATER HEATER (IF APPLIES)

MAX. 300 CFM ON ANY ONE APPLIANCE

WINDOW FALL PROTECTION REQUIRED  
WHERE LOWEST PART OF OPENING IS MORE  
THAN 12" ABOVE FINISHED GRADE OR  
SURFACE BELOW & THE LOWEST PART OF THE  
OPENING IS WITHIN 24" OF THE FINISHED FLOOR.  
EXAMPLE: WINDOW OPENING CONTROL DEVICE

CONCRETE FOOTING ARE REQ'D TO BE 5,000 PSI

FOUNDATION WALL REQ'D TO BE WATERPROOFED

FIRE PROTECTION FOR FLOORS AT BASEMENT MUST BE  
1/2" GYPSUM WALL MEMBRANE OR 5/8" WOOD STRUCTURAL  
PANEL MEMBRANE, AN AREA NOT TO EXCEED 80 SQ. FT.  
CAN BE LEFT UNPROTECTED PROVIDED THERE IS  
FIREBLOCKING IN STALLED ALONG THE PERIMETER  
OF THE UNPROTECTED AREA.

VAPOR RETARDER REQ'D ON THE INTERIOR SIDE OF  
THE FRAMED WALL. CLASS I, II, OR III MAY BE USED.

75% OF ALL LIGHT FIXTURES TO HAVE HIGH EFFICIENCY BULBS.

## DISCLAIMER OF WARRANTIES

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upon request by the owner and are not  
registered architectural or professional  
engineers and are for INFORMATION  
PURPOSES ONLY. The Design  
Team makes NO WARRANTIES  
WHATSOEVER EITHER EXPRESSED  
OR IMPLIED as to merchantability  
or fitness for a particular purpose and  
places any user(s) on notice that  
reliance upon said plans shall be  
at the sole risk of the user(s).  
The selection of correct structural  
materials and the application of  
architectural principles is a precise art,  
the responsibility for which rests with  
the builder, the owner, or the user  
of these plans.

**THE DESIGN TEAM**  
Home Design Specialists

2465 12th Street SE  
Phone: (202) 252-1517  
Fax: (202) 252-1518  
SL. CLARK, INC. 56304

YAGER, TODD & PATTI  
YAGER RESIDENCE

SECTIONS/ROOF PLAN

JOB NUMBER:		49622001			
FILE NUMBER:		4962200122			
DATE:	3/10/22	DRAFT	MM	CHKD	TP
REVISED:	3/16/22	MM	TP		
REVISED:	3/23/22	MM			
REVISED:					
REVISED:					
REVISED:					

SECTIONS/ROOF PLAN

A-3

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**From: Thomas Fiala** realityczech1@icloud.com  
**Subject: Letter for City of Crosslake**  
**Date: Jul 1, 2025 at 3:55:10 PM**  
**To: tpyager@charter.net**

---

Thomas Fiala  
11526 Manhattan Point Blvd  
Crosslake, MN 56442

July 1, 2025

City Building Department  
City of Crosslake, MN 56442

**Re: Authorization to Construct New Cabin Adjacent to Our Property**

Dear Building Department Staff,

We hope this letter finds you well. We are writing to respectfully confirm that we, [Your Name(s)]—the owners of the property located at [Your Full Address]—fully consent to the construction of a new cabin on the neighboring lot, legally designated as [Neighbor's Legal Address or Parcel Number], which directly adjoins our property.

We have reviewed the proposed plans and understand that:

1. All site work will comply with zoning and setback regulations as required by the City of Crosslake.

We hereby grant our permission for the Building Department to issue the necessary building permit and to approve inspections as required for the proposed project.

Please feel free to contact us if you require any further clarification or formal documentation such as a site survey, affidavit, or verification from a licensed surveyor. We would be happy to support the process in any way needed to comply with city regulations.

Thank you for your attention to this matter. If you have any questions, you can reach us at #612-819-6419 or Realityczech1@icloud.com We appreciate your

assistance and remain committed to ensuring a smooth process for all involved parties.

Sincerely,

Thomas Fiala

---

**Sent from my iPad**



## 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: 244457

Permit Number: 250119V

Property Owner(s): Todd J. and Patricia J. Yager

Mailing Address: 11172 17th Place NE, St. Michael, MN 55376

Site Address: 11534 Manhattan Point Boulevard

Phone Number: 612-298-4851

E-Mail Address: pattiy0913@gmail.com

Parcel Number(s): 14010565 and 14010564

Legal Description: Lot (9) and the Easterly (10) Feet of Lot (10) Block Thirty Seven (37) in Manhattan Beach Second Addition

Sec 1 Twp 137 Rge 26 ☐ 27 ☐ 28 ☒

Lake/River Name: Big Trout Lake

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

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

Authorized Agent: Dan Berning, Ziegler Custom Homes, Inc.

Agent Address: 11469 193rd Ave. NW, Elk River, MN 55330

Agent Phone Number: 612-802-1997

### Variances

(Check applicable requests)

☐ Lake/River Setback

☐ Road Right-of-Way Setback

☒ Bluff Setback

☐ Side Yard Setback

☐ Wetland Setback

☒ Septic Tank Setback  
*8.3' where 10' is required*

☐ Septic Drainfield Setback

☐ Impervious Coverage

☐ Accessory Structure

☐ Building Height

☐ Patio Size

☒ Dirt Moving in Bluff Impact Zone

☐ \_\_\_\_\_

Signature of Property Owner(s) Todd J. Yager Patricia J. Yager Date 7/2/2025

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 PS Date 7/2/25 Land Use District SD

Lake Class GD Septic: Compliance \_\_\_\_\_ SSTS Design 6-19-25 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:

Current cabin, built back in 1955, was built into the bluff. We would use existing location with an additional 8' of width and a 12' screen porch.

The sideyard setback will be met. This would minimize the impact on the site.

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

Yes ☒ No ☐

Why:

Our cabin structure will still reside no further towards the lake than the current foundation. This would also maintain the look and character of lining up with the properties on either side. New foundation would be at the same elevation as the current concrete patio that is currently there.

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

Yes ☒ No ☐

Why:

With the uniqueness of the property, there is very limited space to move the proposed cabin any closer to the road.

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

Yes ☒ No ☐

Why:

We feel, environmentally, with the limited space to build, rebuilding in the existing cabin location would minimize the impact on the site in regards to grading, tree removal, and site stabilization.



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: