

\$92 City work

OFFICE OF REGISTRAR OF TITLES  
CROW WING COUNTY, MINNESOTA  
**DOCUMENT T- 242769**

RECORDED ON:  
September 15, 2017 10:12 AM

GARY GRIFFIN  
REGISTRAR OF TITLES

BY: TD

CERT#: 89454

RETURN TO: ENVIRONMENTAL SERVICES  
ATTN: SUE M

FEES: \$46.00  
PAGES: 4

**FIBO**

CITY OF CROSSLAKE ADMINISTRATIVE DECISION  
AFTER-THE-FACT VARIANCE

Following an administrative decision based on an after-the-fact variance, V2013009 submitted 5-2-13 the City of Crosslake Zoning Administrator or Designee hereby approved the following after-the-fact variance(s) in accordance with provisions of the City of Crosslake Zoning Ordinance pursuant to the requirements of Minnesota Statute Chapter 462.

TODD P MESSAL & ANITA Q MESSAL are hereby approved for the following variance(s):

1. Road right-of-way setback of 30 feet where 35 feet is required to the garage
2. Side yard setback of 9 feet where 10 feet is required to the dwelling
3. Side yard setback of 6 feet where 10 feet is required to the driveway

To allow:

- 3377 square foot dwelling and attached garage
- 624 square foot garage
- Existing driveway

Per the detailed Administrative Decision signed September 14, 2017, currently located at 14744 & 14838 Wolf Trail, Crosslake, MN 56442

On behalf of:

TODD P MESSAL & ANITA Q MESSAL  
16935 41<sup>ST</sup> Avenue N  
Plymouth, MN 55446

OFFICE OF COUNTY RECORDER  
CROW WING COUNTY, MINNESOTA  
**DOCUMENT A- 893988**

RECORDED ON:  
September 15, 2017 10:13 AM

GARY GRIFFIN  
CROW WING COUNTY RECORDER

BY: TD

RETURN TO: ENVIRONMENTAL SERVICES  
ATTN: SUE M

FEE: \$46.00  
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89454-299-54 mem

For use on property legally described as follows:

R.E. Code: 141630030010009

Section 16, Township 137N, Range 27W

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Lot One (1), of Block Three (3), of Pine Bay, according to the recorded plat thereof, Crow Wing County, Minnesota.

AND

For use on property legally described as follows:

R.E. Code: 142150010170009

Section 15, Township 137N, Range 27W

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THAT PT OF L 17 BLK 1 DAGGETT LAKE HOMESITES & THAT PT OF SWNW SEC 15 LYING NE'LY, N'LY & NW'LY OF THE FOL DESC LINE: COMM AT AN I/P ON THE W LINE OF SD SWNW 1150 FT N OF THE SW COR THEREOF THEN N 79D 0'0" E ASSM THE W LINE OF SD SWNW BEARS N 0D 0'26" E A DIST OF 290 FT TO AN I/P THEN N 40D 52'43" E 33 FT THEN N 77D 5'37" W 60 FT TO AN I/P THEN N 38D 51'0" W 241 FT TO THE SHORELINE OF DAGGETT LAKE & THE POB THEN RETURN S 38D 51'0" E 241 FT MOL TO AN I/P THEN S 77D 5'37" E 60 FT THEN N 40D 52'43" E 161.54 FT TO THE N LINE OF SD SWNW & THERE TERM SD LINE.

City of Crosslake Zoning Administrator: Chris Pence

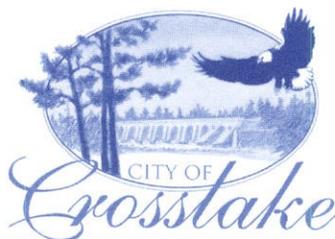
Date: 09 / 14 / 17

Signature:   
Zoning Administrator

Date: 9-14-17

Prepared By: Cheryl Stuckmayer  
37028 County Road 66  
Crosslake, MN 56442

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



37028 County Road 66  
Crosslake, Minnesota 56442  
www.cityofcrosslake.org

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ADMINISTRATIVE DECISION

APPLICANT NAME: Todd & Anita Messal

PROPERTY LOCATION: 14744 Wolf Trail  
Crosslake, MN 56442  
PID: 141630030010009 and 142150010170009

APPLICANT REQUEST: Approval of Variance request from application submitted 5/2/2013, regarding an after-the-fact variance request (V2013009) for encroachments for the home, garage and driveway.

ISSUE: While surveying the property for a subdivision of land, it was discovered that the existing home, garage and driveway were not meeting the setbacks. The application for the ATF variance was submitted on 5/2/2013, while reviewing files, staff was unable to find paperwork that the application was acted on within the 60-day limit per state law.

FACTS: State law and the Crosslake Land Use Ordinance both require action on an application within 60-days (MN Statutes, Ch. 15.99 & Crosslake Land Use Ordinance, Ch. 26-74). Application was made by Todd and Anita Messal on 5/2/2013. After staff review of the file we have been unable to determine that the application was acted on by the Planning Commission/Board of Adjustment.

ANALYSIS: The Messal's acted in good faith by applying to the city to correct the encroachments that were on the site when they purchased the property and found the issues during their subdivision. The City failed to act upon the application within the required 60-days, per State Statute and in compliance with their own ordinance.

DECISION: The After-the-Fact Variance (V2013009) for encroachments of the garage (30 feet where 35 feet is required to the ROW) on parcel 142150010170009, existing home (9 feet where 10 feet is required to the property line) and driveway (6 feet where 10 feet is required to the property line) on parcel 141630030010009 is hereby granted.

This administrative decision is limited to the facts of this particular property.

Chris Pence  
Name Signature of Zoning Administrator or Designee

9-14-17  
Date

