



**STATED MINUTES**  
**City of Crosslake**  
**Planning Commission/Board of Adjustment**  
**March 27, 2020**  
**9:00 A.M.**  
**Crosslake City Hall**  
**37028 County Road 66**  
**Crosslake, MN 56442**

1. Present via Conference Call: Chair Mark Wessels; Vice-Chair Mark Lindner; Randy Dymoke; Bill Schiltz; Jerome Volz and Liaison Council Member Aaron Herzog
2. Absent: None
3. Staff: Jon Kolstad, Planning & Zoning Administrator and Cheryl Stuckmayer, Planner-Zoning Coordinator
4. 2020 Election of Officers - **Motion by Lindner; supported by Schiltz to elect Wessels as Chair; Motion by Schiltz; supported by Volz to elect Lindner as Vice-Chair. All members voting “Aye”, Motion carried.**
5. Adoption of 2020 Rules of Business - **Motion by Dymoke; supported by Lindner to approve the 2020 Rules of Business as written. All members voting “Aye”, Motion carried.**
6. Review and approve 12-27-2019 Minutes & Findings; 1-24-2020 Workshop Minutes– **Motion by Lindner; supported by Schiltz to approve the minutes & findings; Workshop Minutes as written. All members voting “Aye”, Motion carried.**
7. Old Business-Variations are heard on their individual requests, past variations hold no precedents. Commissioners may table the request if needed and an applicant can withdraw their request. If the variance(s) is/are approved, all existing nonconformities will be eliminated and will hereafter be required to follow the variance decision. If a variance is denied the applicant can rebuild the nonconformity as is per the Crosslake Ordinance.
  - 7.1 None
8. New Business
  - 8.1 Jacob & Jobeth Sheldon – CUP for rental storage (In attendance by tell-a-conference)
  - 8.2 Sean & Hannah Bengtson – Variance for bluff setback (In attendance by tell-a-conference)
9. Other Business
  - 9.1 Staff report
10. Open Forum – No action will be taken on any of the issues raised. If appropriate, the issues will be placed on the agenda of a future PC/BOA meeting. Speakers must state their name and address. Each speaker is given a three minute time limit.
11. Adjournment

**Jacob J & Jobeth K Sheldon**  
**14290562**

Kolstad read the CUP request, project details, one comment received, impervious percentage, stormwater management plan submitted, septic site suitabilities, zoning district of Limited Commercial, structure size change from DRT meeting, history of the parcel and the surrounding parcel history into the record. Kolstad read the Nault comment with Kolstad's accompanied response, in green, to that email into the record as follows:

This proposal has a number of issues in our opinion and they are as follow to name a few.

- 1.) No screening is identified on the west side of the property that requires a 20' setback because it is next to residential property, Screening is addressed in Sec 26-738 of our Land Use Ordinance (page 86). This is a requirement for the property owner to address prior to issuance of the Land Use permit to build (if the CUP is approved). Prior to building they will be required to submit a more detailed screen plan that provides a 6-ft tall visual barrier per the Ordinance
- 2.) One of the drainage ponds is in the middle of the driveway??? Stormwater management is required for this application. WE mandate in the ordinance that a 1-inch rain event draining off the Impervious surface of the lot be captured on the parcel for infiltration into the soil. A more realistic plan will need to be presented prior to approval of the Land Use permit to build if approved.
- 3.) Overhead drawing shows runoff on the roof in four different directions. How can this be with a gable roof as shown in the drawings. So drainage ponds are ineffective. We will require the property owner to explain this more thoroughly – I do not have an answer at this time.
- 4.) Why does the total height at the peak need to be approximately 27'? That is huge. Maximum building height in the Limited Commercial District is 30-feet at mid peak.
- 5.) Question 4 of "Finding of Facts" state that no adverse effect on property values. A huge building of this size can not be hidden by a fence or trees. The residential properties will need to look at this monster forever. This question was answered by the property owner to the best of his ability. It will be addressed by the PC/BOA and there is a real estate professional on the commission.
- 6.) Where is the turn around as mentioned on the drawing? That question will be asked of the property owner during the meeting.

Thanks for your attention to these issues,

Gary and Cathy Nault, Owners of residential and commercial property adjacent to said property.

Wessels stated the current zoning district has been in place for some time, but the screening definitely needs to be addressed. Kolstad remarked that the screening could be addressed as a condition. Conditions to be placed on the CUP were discussed; setback, screening, stormwater, and neighboring parcel concerns. Wessels asked if the owner could respond to these possible discussed conditions. Sheldon, the owner, residing at 35023 Sleepy Valley Rd, said that he currently has a dense tree line on the west side and plans to leave as much as possible, no outdoor storage is planned, and 30-40 boats are planned to be stored inside for winter storage. No public hearing was opened due to not having any public in attendance via conference call. An increase in the southeast setback was discussed, with the commissioners agreeing that the setback of 5 feet should increase to 10 feet to allow for proper stormwater retention. Kolstad explained that the driveway and turnaround would not need to be paved unless it was made a condition, because the ordinance did not call for that, but that it would still be considered impervious. Kolstad initiated the findings of fact procedure with the board members deliberating and responding to each question.

**March 27, 2020 Action:**

**Motion by Lindner; supported by Volz to approve the Conditional Use Permit for a commercial storage building/storage unit rental on Addi Lane, Sec 29, City of Crosslake**

**Per the findings of fact as discussed, the on-sites conducted individually and as shown on the plat received at the Planning & Zoning office dated 5-18-2015 for property located on Lot 2 Addi Lane, Crosslake, MN 56442**

**Conditions:**

- 1. Work with the staff to improve, implement and maintain the submitted stormwater plan**
- 2. Limit hours of operation to be open from 8:00 A.M. to 8:00 P.M.**
- 3. No outside storage**
- 4. Surveyor to stake in building prior to construction (footing inspection)**
- 5. Southeast setback increase from 5 feet to 10 feet to allow for possible stormwater retention**
- 6. Do everything conceivable to maintain the existing tree line for the required screening on the residential west side, along with adding evergreen trees**
- 7. Lighting only on the Northeast side of the structure (main entrance overhead door area)**

**Findings: See attached**

**All members voting “Aye”, Motion carried.**

**Sean & Hannah Bengtson  
14060877, 14060878**

Kolstad read the variance request, location, project details, current shoreland zoning district, no comments received, impervious percentage, stormwater management plan submitted, 12-10-19 DRT meeting attended, septic compliance on file, history of the parcel and the surrounding parcel history into the record. Kolstad asked Bengtson of 12332 Manhattan Point Blvd if he had anything to add, with Bengtson replying that Kolstad had covered it. Wessels asked Kolstad to clarify the use of a water-oriented accessory structure (WOAS). Kolstad explained the uses that are allowed by the Land Use Ordinance and the definition of it, then stated that it cannot be used for living space. The submitted design with 4 lakeside windows was questioned with Bengtson commenting that his wife was not happy with the structure and he added 4 windows to mirror the dwelling's dining room exterior to make it more appealing. Bengtson also stated that there are too many steps to be carry items up and down, so the structure is planned to be used as storage. No public hearing was opened due to not having any public in attendance via conference call. Schiltz inquired on the height of the structure from the ground. Bengtson replied that it would be on pillars and at the lowest area it would be around 1' to 2', so that water can flow under the new structure without changing the current flow. The walkway/landing size was questioned and Kolstad said that a 32 square foot landing to get into and out of the structure along with a walkway (4' wide) is allowed by the Land Use Ordinance. Lindner wanted clarification that the roofline would allow the runoff to be on each side and not the runoff going to the lake which would help protect the lake water quality. This would be caught in the conditions of the variance. Kolstad initiated the findings of fact procedure with the board members deliberating and responding to each question.

**March 27, 2020 Action:**

**Motion by Schiltz; supported by Volz to approve the variance for:**

- Bluff setback of 0 feet where 30 feet is required to proposed water-oriented accessory structure  
To construct:
- 120 square foot water-oriented accessory structure

Per the findings of fact as discussed, the on-site conducted individually and as shown on the certificate of survey received at the Planning & Zoning office dated 2-5-2020 for property located at 12332 Manhattan Point Blvd, Sec 06, City of Crosslake

**Conditions:**

Chapter 26 – Land Use; Sec. 26-227 Variance Decision - Variances must be substantially completed within two years of receiving approval – the approval of this variance will expire on 3-27-2022

1. Construction to be completed on pillars to avoid erosion and to minimize the bluff disturbance
2. Roofline to have run off on both or one side and not towards the lake

**Findings: See attached**

**All members voting “Aye”, Motion carried.**

**Other Business:**

1. Staff report
  - a. Monthly city council report
  - b. Development Review Team (DRT) had three March monthly meetings
  - c. No April public hearing applications
  - d. April meeting will be for the Land Use Ordinance revisions/recommendation to city council
  - e. Land Use Ordinance revision request for public comment is currently open until April 16, 2020
  - f. Septic information; still waiting for the information from the Maintenance Business regarding the number of systems serviced in the city of Crosslake over the last three years
  - g. Due to the COVID-19 pandemic we will be working from home for the next two weeks per the Governor's two week "stay-at-home" order

**Open Forum:**

1. None

**Matters not on the Agenda:**

1. There were no matters not on the agenda

**Wessels adjourned the meeting at 10:45 A.M.**

**All members voting "Aye", Motion carried.**

Respectfully submitted,

*Cheryl Stuckmayer*

Cheryl Stuckmayer  
Planner-Zoning Coordinator