

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
(218) 692-2689

PUBLIC HEARING NOTICE

Applicant: Sean & Hannah Bengtson

Authorized Agent: N/A

Site Location: 12332 Manhattan Point Blvd, Crosslake, MN 56442 on Big Trout Lake-GD

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

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@crosslake.net).



STAFF REPORT

Property Owner/Applicant: Sean & Hannah Bengtson

Parcel Number(s): 14060877, 14060878

Application Submitted: February 7, 2020

Action Deadline: April 7, 2020

City 60 Day Extension Letter sent / Deadline: N/A / N/A

Applicant Extension Received / Request: N/A / N/A

City Council Date: N/A

Authorized Agent: N/A

Variance for:

1. 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

Current Zoning: Shoreland District

Existing Impervious Coverage:

15.7%

Proposed Impervious Coverage:

16.0%

- A stormwater management plan was submitted with the variance application
- A compliant septic compliance inspection is on file dated 9-7-17

Development Review Team Minutes held on 12-10-19:

- Property is located on Big Trout at 12332 Manhattan Point Blvd with a lake setback of 75 feet
- The proposed WOAS to be approximately 20 feet from the toe of the bluff & the OHW
- All setbacks shall be measured to the vertical side of the structure. No part of the structure, such as eaves, can overhang or reduce such setback by more than three feet (Sec. 26-308).
- Setbacks on structures where the eaves exceed 36" shall be measured from the drip line.
- Impervious maximum of 25% and if impervious exceeds 20% a Shoreline Rapid Assessment Model form will be completed
- The parcel is located within a plat and/or an organization that may have restrictions, you would need to verify those restrictions and clarify that your request is approved by that organization or allowed in the plat
- Design and implement a stormwater management plan (gutters, berm & rain gardens) to update any existing plan, which is required with all variance applications per Article 8, section 26-222, (2), 1). When wetland is being used it must be filtered to drinking standards before it can flow into any wetland

- A septic design if needed and a compliant septic compliance inspection is on file dated 9-7-17
- Owner stated the Wetland Delineation is completed – paperwork to be provided with variance application as required
- A grade and elevation illustration along with a cut and fill calculation is required for a complete variance application
- Discussion on application requirements, procedure, schedule and the requirements/need for a complete application packet by the deadline date
- A quick review of the “Review Copy” survey showed that there are several setbacks and dimensions that will need to be included: deck, open covered front entry, tram, steps, WOAS
- If approved, a Land Use Permit will be required prior to construction

Property owner was informed that before they could be placed on a public hearing agenda the following information is required:

1. A certificate of survey meeting the requirements outlined in Article 8, Sec. 26-222 of the City Land Use Ordinance
2. Grade and Elevation illustration, along with the Cut and fill calculations
3. Wetland delineation or a no wetland statement/letter
4. A septic design if project requires; compliance is on file
5. A complete Variance application with a \$500.00 public hearing fee

Parcel History:

- Manhattan Beach (A Replat of Twin Beach) established in 1926
- June 1980 – 24’ x 24’ building
- October 1992 – 14’ x 20’ Addition and update septic
- August 1998 – 48’ long x 7’ high fence
- July 2010 – Stairs down bluff to lake shore (stringer style construction)
- September 2017 – Demo existing porch and rebuild 8’ x 16’ road side open porch
- September 7, 2017 – Compliant septic compliance inspection on file

Agencies Notified and Responses Received:

County Highway Dept: N/A

DNR: No comments were received as of 3-16-2020

City Engineer: N/A

Lake Association: No comments were received as of 3-16-2020

Township: N/A

Crosslake Public Works: No comments were received as of 3-16-2020

Crosslake Park, Recreation & Library: N/A

Concerned Parties: No comments were received as of 3-16-2020

POSSIBLE MOTION:

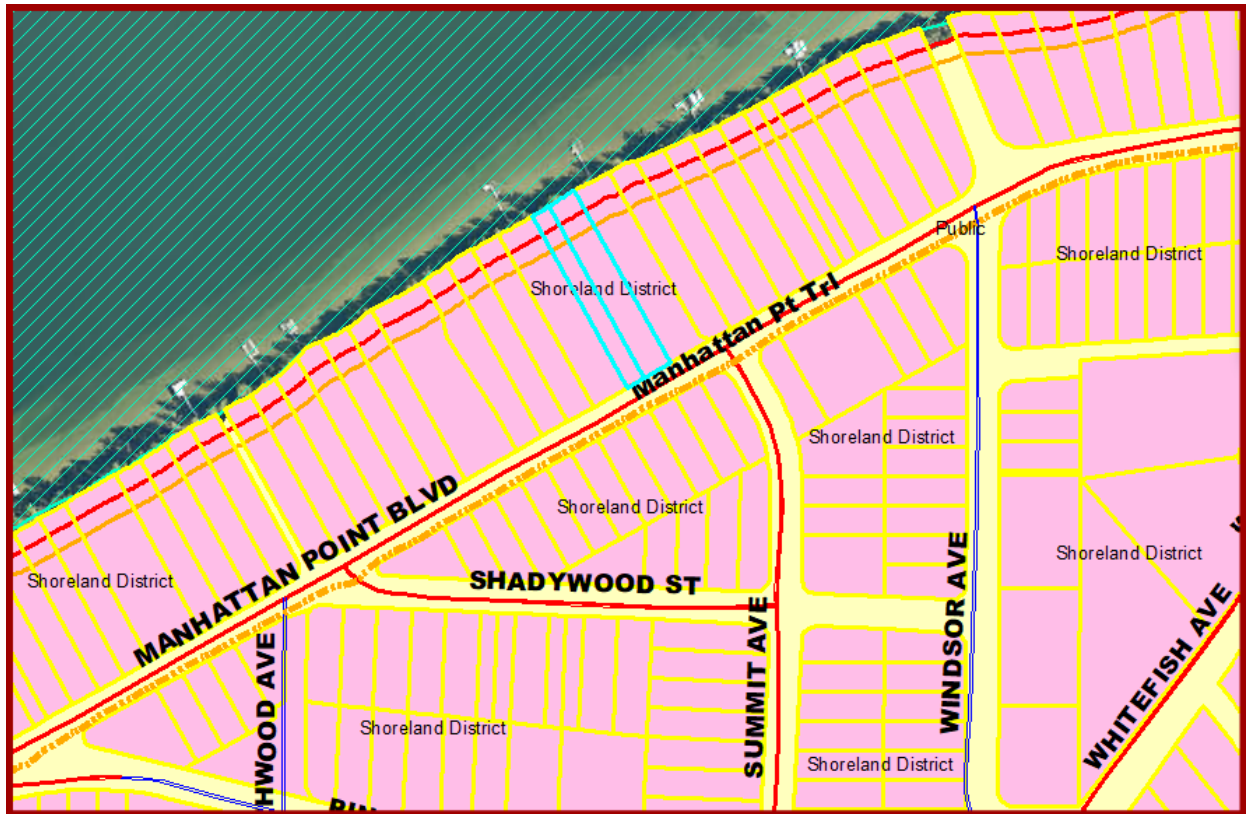
To approve/table/deny the variance to allow:

- 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

As shown on the certificate of survey dated 2-5-2020



CERTIFICATE OF SURVEY

LOT 2 AND PART OF LOT 3, BLOCK 4,
MANHATTAN BEACH (A REPLAT OF TWIN BEACH),
SECTION 6, TOWNSHIP 137 NORTH, RANGE 27 WEST,
CROW WING COUNTY, MINNESOTA
TOTAL AREA = 39,710 SQ.FT.± / 0.9 ACRE±
BUILDABLE AREA = 15,192 SQ. FT.

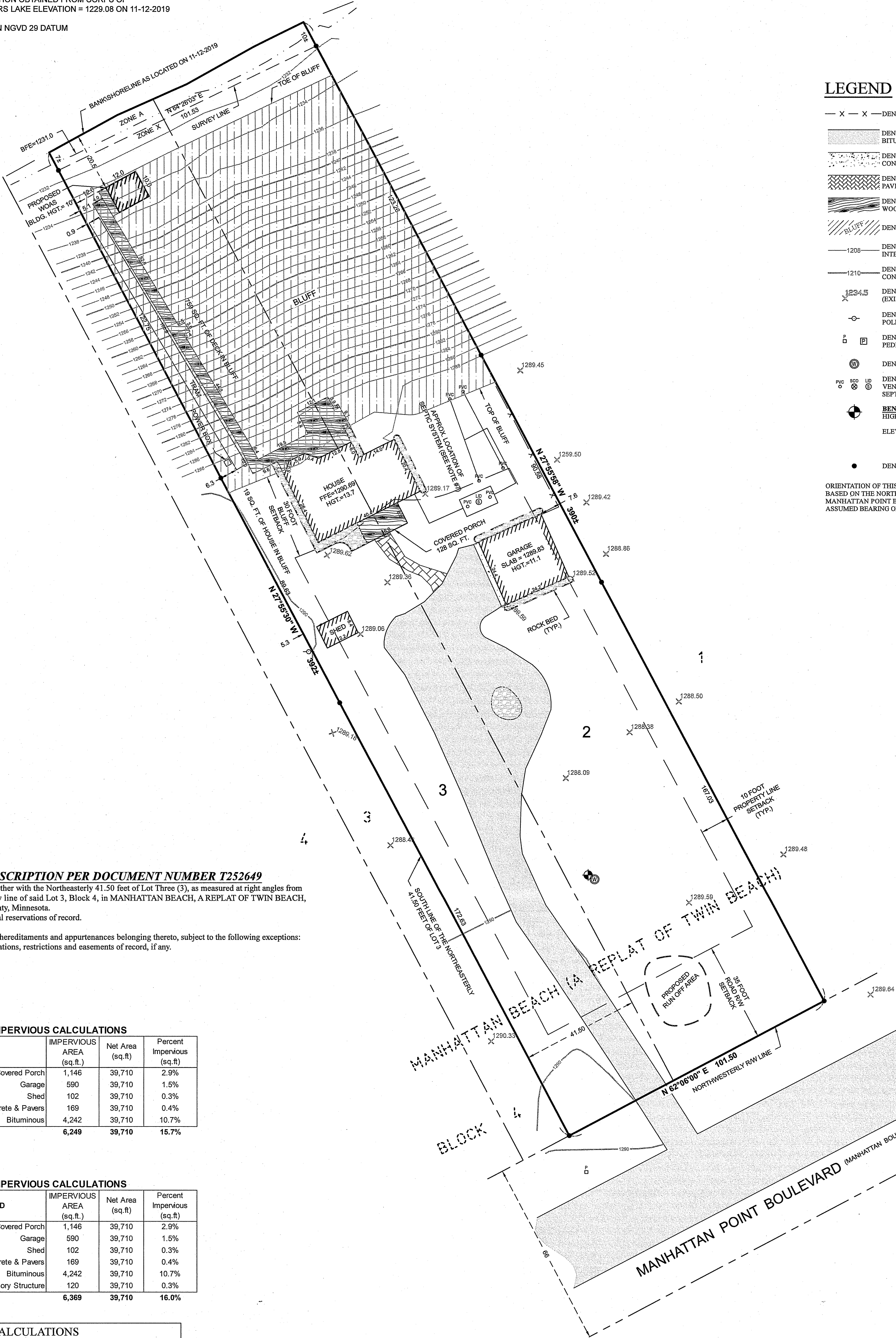
BIG TROUT LAKE

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 = 1229.08 ON 11-12-2019

BASED ON NGVD 29 DATUM



LEGEND

- X — X — DENOTES EXISTING FENCE LINE
- [Pattern] DENOTES EDGE OF EXISTING BITUMINOUS
- [Pattern] DENOTES EDGE OF EXISTING CONCRETE
- [Pattern] DENOTES EDGE OF EXISTING PAVING STONES
- [Pattern] DENOTES EDGE OF EXISTING WOODEN DECKING
- [Pattern] DENOTES BLUFF AREA
- 1208 — DENOTES EXISTING INTERMEDIATE CONTOURS
- 1210 — DENOTES EXISTING INDEX CONTOURS
- X 1234.5 DENOTES SPOT ELEVATION (EXISTING GRADE)
- O — DENOTES EXISTING UTILITY POLE
- [Symbol] DENOTES EXISTING PHONE PEDESTAL & PHONE BOX
- [Symbol] DENOTES EXISTING WELL
- [Symbol] DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- [Symbol] BENCHMARK: HIGH POINT OF WELL ELEV. = 1291.21
- DENOTES MONUMENT FOUND

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE NORTHWESTERLY R/W LINE OF MANHATTAN POINT BOULEVARD TO HAVE AN ASSUMED BEARING OF N 62°06'00" E.

LEGAL DESCRIPTION PER DOCUMENT NUMBER T252649
Lot Two (2), together with the Northeasterly 41.50 feet of Lot Three (3), as measured at right angles from the Northeasterly line of said Lot 3, Block 4, in MANHATTAN BEACH, A REPLAT OF TWIN BEACH, Crow Wing County, Minnesota.
Subject to mineral reservations of record.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:
Subject to reservations, restrictions and easements of record, if any.

IMPERVIOUS CALCULATIONS

EXISTING	IMPERVIOUS AREA (sq.ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
House & Covered Porch	1,146	39,710	2.9%
Garage	590	39,710	1.5%
Shed	102	39,710	0.3%
Concrete & Pavers	169	39,710	0.4%
Bituminous	4,242	39,710	10.7%
Total	6,249	39,710	15.7%

IMPERVIOUS CALCULATIONS

PROPOSED	IMPERVIOUS AREA (sq.ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
House & Covered Porch	1,146	39,710	2.9%
Garage	590	39,710	1.5%
Shed	102	39,710	0.3%
Concrete & Pavers	169	39,710	0.4%
Bituminous	4,242	39,710	10.7%
Water Oriented Accessory Structure	120	39,710	0.3%
Total	6,369	39,710	16.0%

RUN OFF CALCULATIONS

Total Impervious Surface Area	6,369 sq. ft.	X	0.0833 ft.	=	531 cu. ft.
(from table above)					

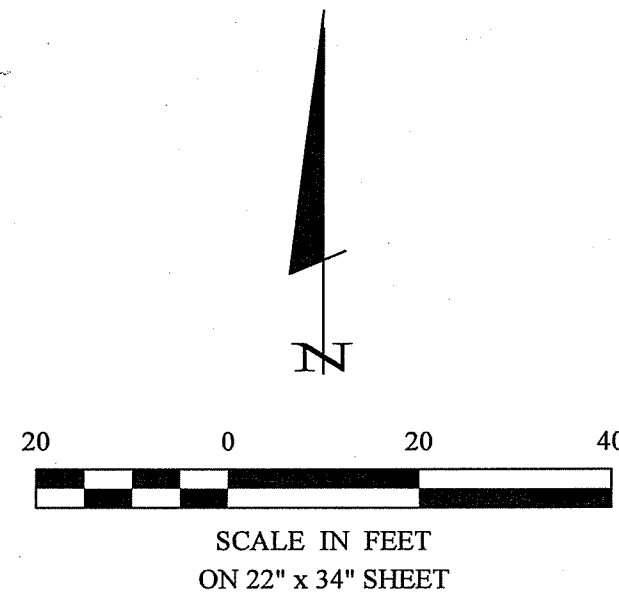
PROPOSED RUN OFF AREAS

POND:
TOP SURFACE AREA = 458 SQ. FT.
BOTTOM SURFACE AREA = 255 SQ. FT.
1' DEEP WITH 3:1 SIDE SLOPES
RUN OFF STORAGE PROPOSED = 357 CU. FT.
ROCKBEDS:
TOTAL SURFACE AREA = 412 SQ. FT.
6" DEPTH
ROCKBED RUN OFF = 206 CU. FT.

TOTAL RUNOFF AREA = 563 CU. FT.

NOTES:

- Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 11-12-2019.
- Zoning for subject tract = "Shoreland District".
- No wetlands were found on October 26, 2019 at the site per Ben Meister, Meister Environmental, LLC. MN Certified wet land delineator #1031.
- 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 elevations and flood hazard factors not determined. "Zone X" definition: Areas of minimal flooding.
- Parcel IDs of subject parcel: 14060877 & 14060878.
- The property address of subject parcel: 12332 Manhattan Point Boulevard.
- Approximate location of septic system per sketch prepared by Martin Joyce Septic Service, LLC.
- Cut approximately 1/3 cubic yard for WOAS construction.



CERTIFICATE OF SURVEY

Sean Bengtson
12332 Manhattan Point Boulevard
Crosslake, MN 56442

PROJECT MANAGER:

PAT

CHECKED

BY: PAT

DRAWN BY: RJF

PROJECT No.:

19294

FILE NAME:

C19294.dwg

FIELD BOOK:

BOOK 456 PG. 22

DATE:

2-5-2020

SCALE:

HORZ. 1"=20'

VERT. NONE

DATE

REVISIONS

DESCRIPTION

BY

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Patrick A. Trotter
PATRICK A. TROTTER PLS#41002

DATE 2-05-2020 LIC. NO. 41002



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

CERTIFICATE OF SURVEY

LOT 2 AND PART OF LOT 3, BLOCK 4,
MANHATTAN BEACH (A REPLAT OF TWIN BEACH),
SECTION 6, TOWNSHIP 137 NORTH, RANGE 27 WEST,
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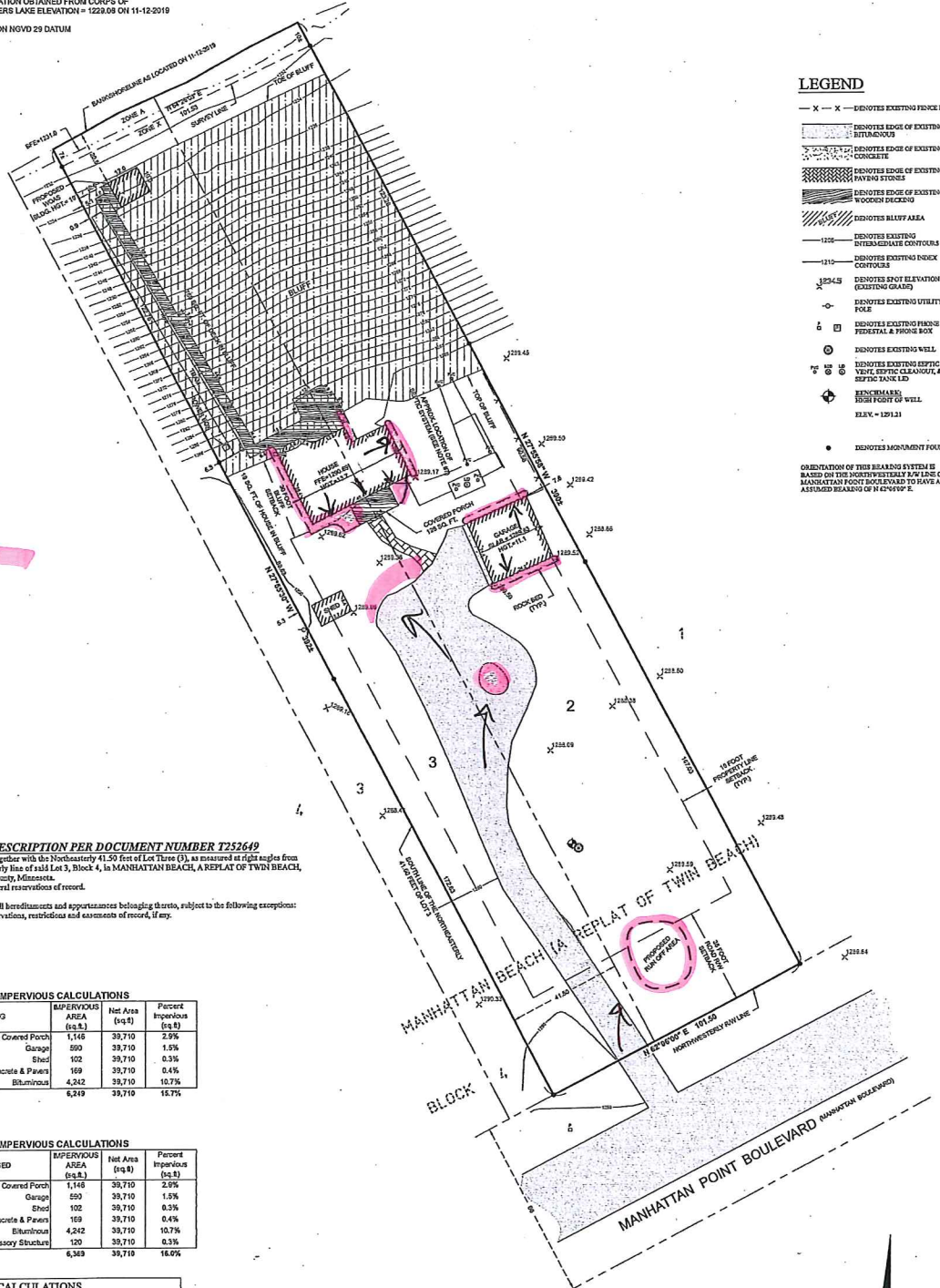
BIG TROUT LAKE

GENERAL DEVELOPMENT CLASSIFICATION
NORMAL RESERVOIR POOL ELEVATION = 1229.57

100 YEAR FLOOD ELEVATION = 1231.00
HIGHEST KNOWN ELEVATION = 1234.66

INFORMATION OBTAINED FROM CORPS OF
ENGINEERS LAKE ELEVATION = 1229.08 ON 11-12-2019

BASED ON NOVO 29 DATUM



SWAMP

LEGAL DESCRIPTION PER DOCUMENT NUMBER T252649

Lot Two (2), together with the Northeastly 41.50 feet of Lot Three (3), as measured at right angles from the Northeastly line of said Lot 3, Block 4, in MANHATTAN BEACH, A REPLAT OF TWIN BEACH, Crow Wing County, Minnesota.

Subject to mineral reservation of record.

together with all improvements and appurtenances belonging thereto, subject to the following exceptions:
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IMPERVIOUS CALCULATIONS

EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House & Covered Porch	1,148	39,710	2.9%
Garage	600	39,710	1.5%
Shed	102	39,710	0.3%
Concrete & Pavers	169	39,710	0.4%
Bituminous	4,242	39,710	10.7%
Total	6,269	39,710	15.7%

IMPERVIOUS CALCULATIONS

PROPOSED	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House & Covered Porch	1,148	39,710	2.9%
Garage	600	39,710	1.5%
Shed	102	39,710	0.3%
Concrete & Pavers	169	39,710	0.4%
Bituminous	4,242	39,710	10.7%
Water Oriented Accessory Structure	120	39,710	0.3%
Total	6,389	39,710	16.0%

RUN OFF CALCULATIONS

Total Impervious Surface Area (from table above)	6,389 sq. ft.	X 0.0033 ft.	= 531 cu. ft.
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PROPOSED RUN OFF AREAS

FORMS:
TOP SURFACE AREA = 458 SQ. FT.
BOTTOM SURFACE AREA = 235 SQ. FT.

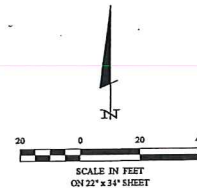
1' DEEP WITH 1:1 SIDE SLOPES
RUN OFF STORAGE PROPOSED = 357 CU. FT.

ROCKFILL:
TOTAL SURFACE AREA = 412 SQ. FT.
6" DEPTH
ROCKFILL RUN OFF = 204 CU. FT.

TOTAL RUNOFF AREA = 561 CU. FT.

NOTES:

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- Zoning for subject tract = "Shoreland District".
- No wetlands were found on October 26, 2019 at the site per Lisa McIntire, McIntire Environmental, LLC. MN Certified wetland delineator #1031.
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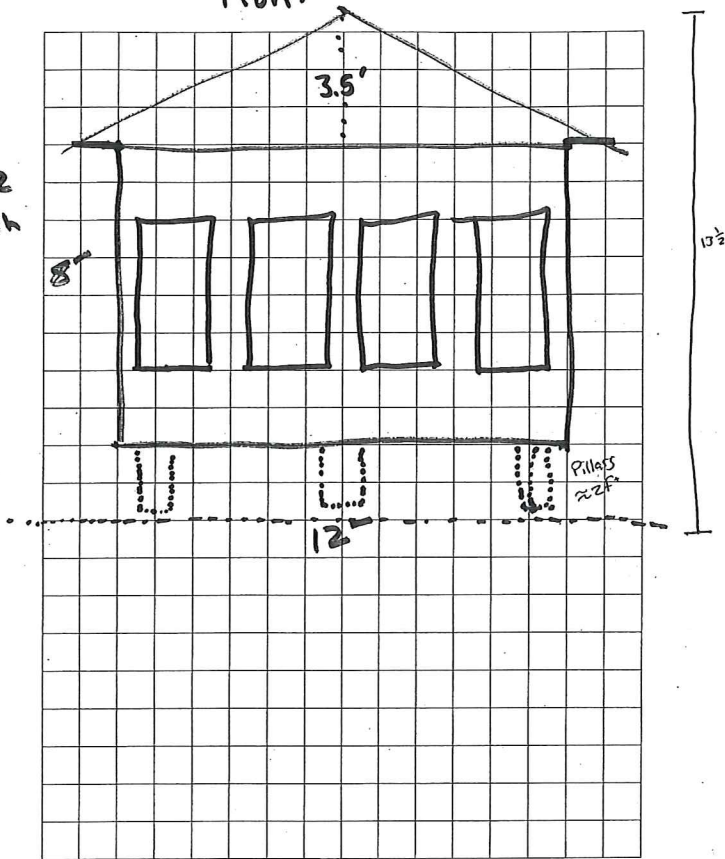
CERTIFICATE OF SURVEY				REVISIONS				NOTES	
PROJECT MANAGER:	PROJECT No.:	DATE:	SCALE:	DATE:	DESCRIPTION:	BY:		I HEREBY CERTIFY THAT THIS SURVEY, PLAT SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	
CHECKED BY:	FILE NAME:	SCALE:	SCALE:						
DRAWN BY:	FIELD BOOK:	VERT. NORTH							
DATE:	BOOK 455 PG. 22								
Sean Bengtson 12332 Manhattan Point Boulevard Crosslake, MN 56442				DATE: 2-05-2020				LSC NO. 41002	



30266 Ramona Road
Suite 1
P.O. Box 874
Forest Lake, MN 56442
218-544-0109
www.seanbengtson.com

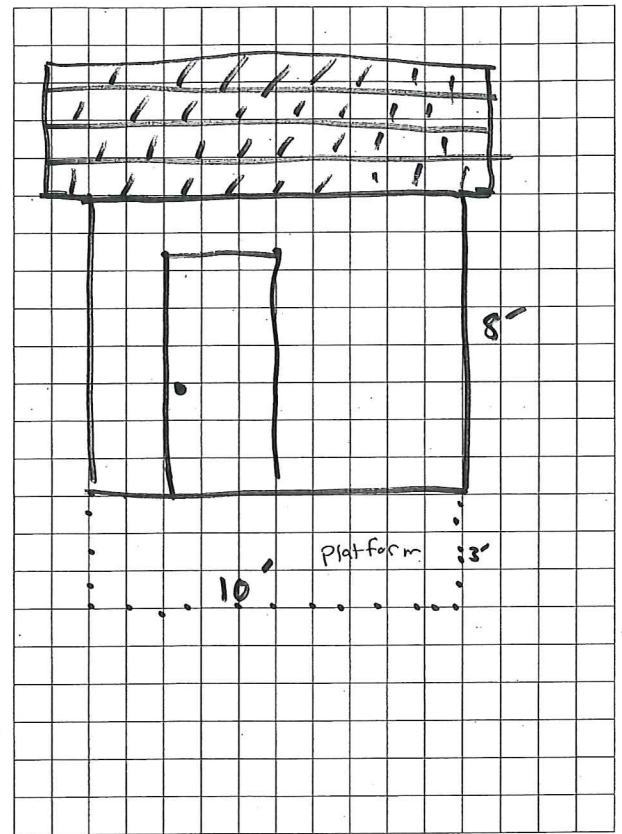
6/12
pitch

Front



1cm GRID

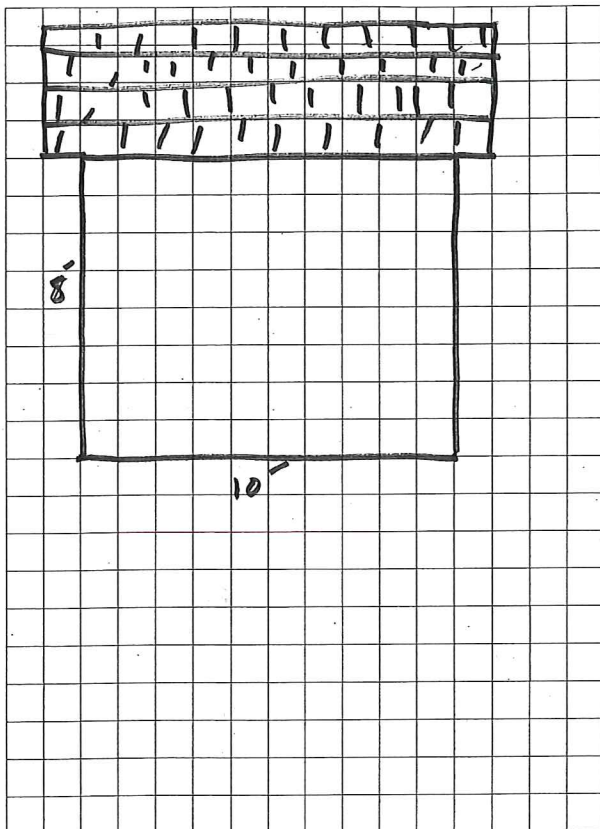
West Side View



1cm GRID

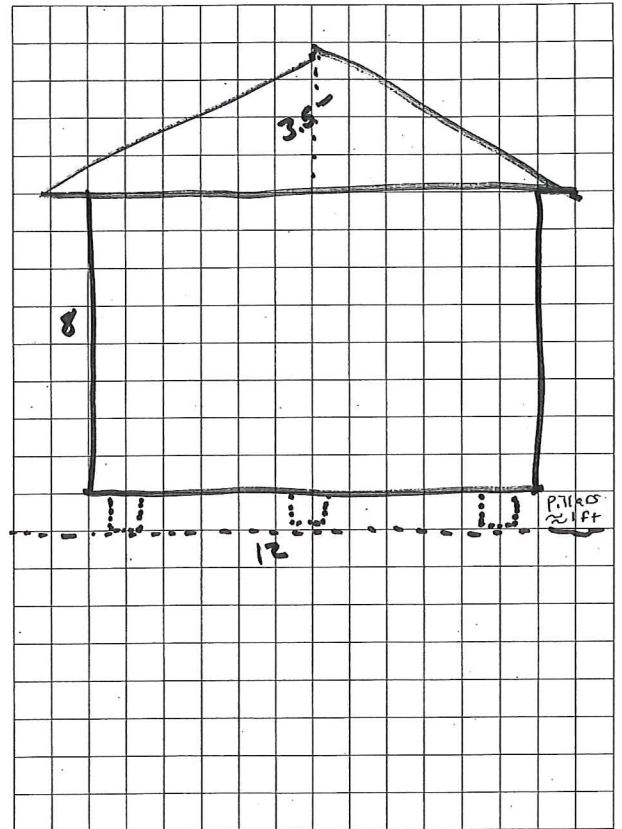
Lake

East View



1cm GRID

Back View



1cm GRID

Cut & fill to be post holes only



Variance Application
Planning and Zoning Department
37028 County Rd 66, Crosslake, MN 56442
218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

Receipt Number: 315495

Permit Number: 2010004 ✓

Property Owner(s): Sean & Hannah Bengtson

Mailing Address: 12332 Manhattan Point Blvd Crosslake
MN 56442

Site Address: Same

Phone Number: 218 851 1579 218 838 3257

E-Mail Address: Seanbengtson@gmail.com

Parcel Number(s): 14060877 14060878

Legal Description: Lot 2 & Part of Lot 3, Blk 4
Manhattan Beach (A replica of Twin Beach)
Sec 6 Twp 137 Rge 26 / 27 / 28

Lake/River Name: Big Trout

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

If yes list Parcel Number(s) _____

Authorized Agent: _____

Agent Address: _____

Agent Phone Number: _____

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
- ☐ _____
- ☐ _____

Signature of Property Owner(s) Se Bengtson

Date Feb. 4, 2020

Signature of Authorized Agent(s) _____

Date _____

- All applications must be accompanied by a signed Certificate of Survey
- Fee \$500 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 JD Date 2/7/2020 Land Use District SD

Lake Class GD Septic: Compliance 9/17/17 SSTS Design n/A Installation n/A



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?
Defer to the Board of Adjustment
2. Is the Variance consistent with the Comprehensive Plan?
Defer to the Board of Adjustment
3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Why? **Yes – The bluff prevents me from doing the project without a variance.**

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

Why? **Yes - A nice looking structure will allow us to store lake equipment out of sight without having to carry the items up the hill after each use.**

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

Why? **Yes. There is not a lot of room between the lake and the bluff so a variance is needed.**

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

Why? **Yes. There is little storage place for our items. We need space to keep lake items, and it is inconvenient to transport them up the hill after each use.**



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: