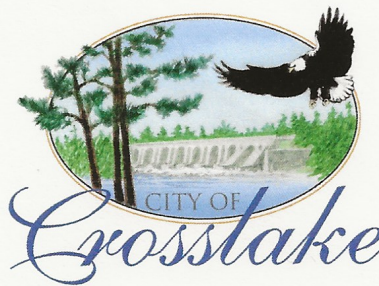


City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



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

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## **CITY OF CROSSLAKE**

### **PLANNING COMMISSION/BOARD OF ADJUSTMENT**

**November 20, 2020**

**9:00 A.M.**

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

### **PUBLIC HEARING NOTICE**

**Applicant:** Weber, Kunza, Cundiff, LLC

**Authorized Agent:** Hy-Tec Construction-Jeff Hanson

**Site Location:** 12902 Rushmoor Blvd, Crosslake, MN 56442 on Rush Lake-GD

**Variance for:**

- Lake setback of 54 feet where 75 feet is required to proposed addition
- Lake setback of 54 feet where 75 feet is required to proposed deck
- Road right-of-way setback of 25.6 feet where 35 feet is required to proposed patio
- Drainfield setback of 14 feet where 20 feet is required to proposed addition

**To construct:**

- 280 square foot addition to the dwelling
- 358 square foot deck
- 16 square foot patio addition

**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](mailto:crosslakepz@crosslake.net)).



## STAFF REPORT

Property Owner/Applicant: Weber, Kunza, Cundiff LLC

Parcel Number(s): 14170543

Application Submitted: October 9, 2020

Action Deadline: December 8, 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:** Hy-Tec Construction – Jeff Hanson

**Variance for:**

- Lake setback of 54 feet where 75 feet is required to proposed addition
- Lake setback of 54 feet where 75 feet is required to proposed deck
- Road right-of-way setback of 25.6 feet where 35 feet is required to proposed patio
- Drainfield setback of 14 feet where 20 feet is required to proposed addition

**To construct and allow:**

- 280 square foot addition to the dwelling
- 358 square foot deck
- 16 square foot patio addition

**Current Zoning:** Shoreland District

**Existing Impervious Coverage:**

20.8%

**Proposed Impervious Coverage:**

22.7%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 9-29-2020

**Development Review Team Minutes held on 9-8-2020:**

- Property is located on Rush Lake at 12902 Rushmoor Blvd with a lake setback of 75 feet
- The proposed addition to include a crawl space and deck to be approximately 56 feet from the OHW of Crosslake
- Bench mark installed by surveyor and supplemental data form required to verify elevation is being met of 1232.5; it appears grade elevation is at 1240 not including the depth of the crawl space
- Existing nonconformities will no longer be valid once approved variance(s) are applied
- 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)
- If the eaves exceed 36" the setback and the impervious coverage shall be measured from the dripline

- Impervious maximum of 25% and if impervious exceeds 20% a Shoreline Rapid Assessment Model form will be completed (Sec. 26-518)
- The parcel is located within a plat and/or an organization that may have restrictions, you would need to verify those restrictions & clarify that your request is approved by the 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 a wetland is being used the stormwater must be filtered to drinking standards before it can flow into any wetland
- A septic compliance inspection will be required (on filed dated 5-19-15) and a septic design if needed (current is for a 3 bedroom)
- Wetland Delineation is a requirement for a variance or a no wetland statement/letter
- A grade and elevation illustration along with a cut and fill calculation with the location of the dirt moving storage area 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 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 compliance inspection or a septic design if project requires
5. A complete Variance application with the \$500.00 public hearing fee

#### **Parcel History:**

- Rushmoor Estates established in 1967
- June 1973 – 16x24 Garage
- September 1981 – Septic system
- August 1987 – 16x24 Garage addition of 14x24
- April 1998 – Replace existing deck with same dimensions

#### **Agencies Notified and Responses Received:**

**County Highway Dept:** N/A

**DNR:** No comments were received as of 11-9-2020

**City Engineer:** N/A

**Lake Association:** N/A

**Township:** N/A

**Crosslake Public Works:** No comments were received as of 11-9-2020

**Crosslake Park, Recreation & Library:** N/A

**Concerned Parties:** No comments were received as of 11-9-2020

#### **POSSIBLE MOTION:**

To approve/table/deny the variance to allow:

- Lake setback of 54 feet where 75 feet is required to proposed addition
- Lake setback of 54 feet where 75 feet is required to proposed deck
- Road right-of-way setback of 25.6 feet where 35 feet is required to proposed patio
- Drainfield setback of 14 feet where 20 feet is required to proposed addition



**To construct and allow:**

- 280 square foot addition to the dwelling
- 358 square foot deck
- 16 square foot patio addition

As shown on the certificate of survey dated 10-8-2020





CERTIFICATE OF SURVEY

LOT 11, BLOCK ONE, RUSHMOOR ESTATES,  
SECTION 17, TOWNSHIP 137 NORTH, RANGE 27 WEST,  
CROW WING COUNTY, MINNESOTA  
TOTAL AREA = 16,869± SQ.FT 0.4± ACRES  
TOTAL BUILDABLE AREA = 1,547 SQ.FT 0.04 ACRES

LEGEND

- DENOTES EXISTING RETAINING WALL
- DENOTES EDGE OF EXISTING BITUMINOUS
- DENOTES EDGE OF EXISTING CONCRETE
- DENOTES EDGE OF EXISTING PAVING STONES
- DENOTES EDGE OF EXISTING WOODEN DECKING
- DENOTES EDGE OF EXISTING SPR-AP
- DENOTES EXISTING INTERIMEDIATE CONTOURS
- DENOTES EXISTING INDEX CONTOURS
- DENOTES EXISTING UTILITY POLE
- DENOTES EXISTING UTILITY POLE W/ GUY WIRE
- DENOTES EXISTING PHONE PEDestal & PHONE BOX
- DENOTES EXISTING WELL
- DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- DENOTES EXISTING SEPTIC LIFT STATION
- DENOTES PROPOSED SURFACE DRAINAGE FLOW
- DENOTES CALCULATED POSITION
- BENCHMARK: HIGH POINT OF WELL ELEV. = 1237.43
- NGVD 29 DATUM
- DENOTES MONUMENT FOUND

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE RECORDED PLAT OF RUSHMOOR ESTATES.

IMPERVIOUS CALCULATIONS

EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House	989	16,869	5.9%
Garage	735	16,869	4.4%
Pump House	24	16,869	0.1%
Bituminous	128	16,869	0.8%
Concrete	1,438	16,869	8.5%
Pavers	130	16,869	1.1%
Total	3,514	16,869	20.8%

IMPERVIOUS CALCULATIONS

PROPOSED	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House	989	16,869	5.9%
Garage	735	16,869	4.4%
Pump House	24	16,869	0.1%
Bituminous	128	16,869	0.8%
Concrete	1,438	16,869	8.5%
Pavers	217	16,869	1.3%
Proposed House Addition	280	16,869	1.7%
Total	3,621	16,869	22.7%

RUN OFF CALCULATIONS

Total Impervious Surface Area	3,839 sq. ft. X 0.0833 ft. =	320 cu. ft.
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PROPOSED RUN OFF AREA 1

TOP SURFACE AREA = 216 SQ. FT.  
BOTTOM SURFACE AREA = 74 SQ. FT.  
1" DEEP WITH 3:1 SIDE SLOPES  
TOTAL RUN OFF STORAGE PROPOSED = 290 CU. FT.

PROPOSED RUN OFF AREA 2

TOP SURFACE AREA = 129 SQ. FT.  
BOTTOM SURFACE AREA = 26 SQ. FT.  
1" DEEP WITH 3:1 SIDE SLOPES  
TOTAL RUN OFF STORAGE PROPOSED = 155 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 9-28-2020.
- Zoning for subject tract = Shoreland District.
- Property is in "Zone X" and "Zone A" as per the FRMA Flood Insurance Rate Map. "Zone A" delineates Areas of 100-year flood base elevations and flood hazard factors not delineated "Zone X" delineates Areas of minimal flooding.
- Parcel ID of subject parcel: 14170543.
- The D911 address of subject parcel: 12902 Rushmoor Blvd.
- Approximate location of septic system as shown per sketch prepared by Martin Joyce Septic Service, LLC.
- Wetland delineation was completed on 9-24-2020, by Ben Meister Environmental, LLC.
- MIN Certified Wetland Delineator #1051
- Outlets will be placed on the house and garage to help direct runoff water.

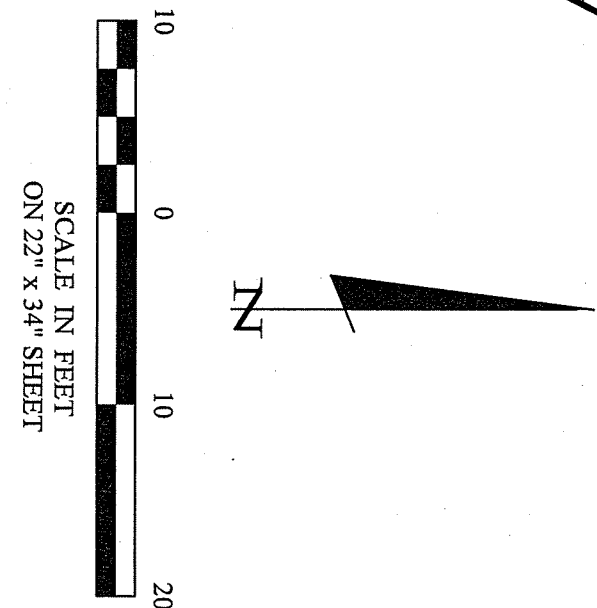
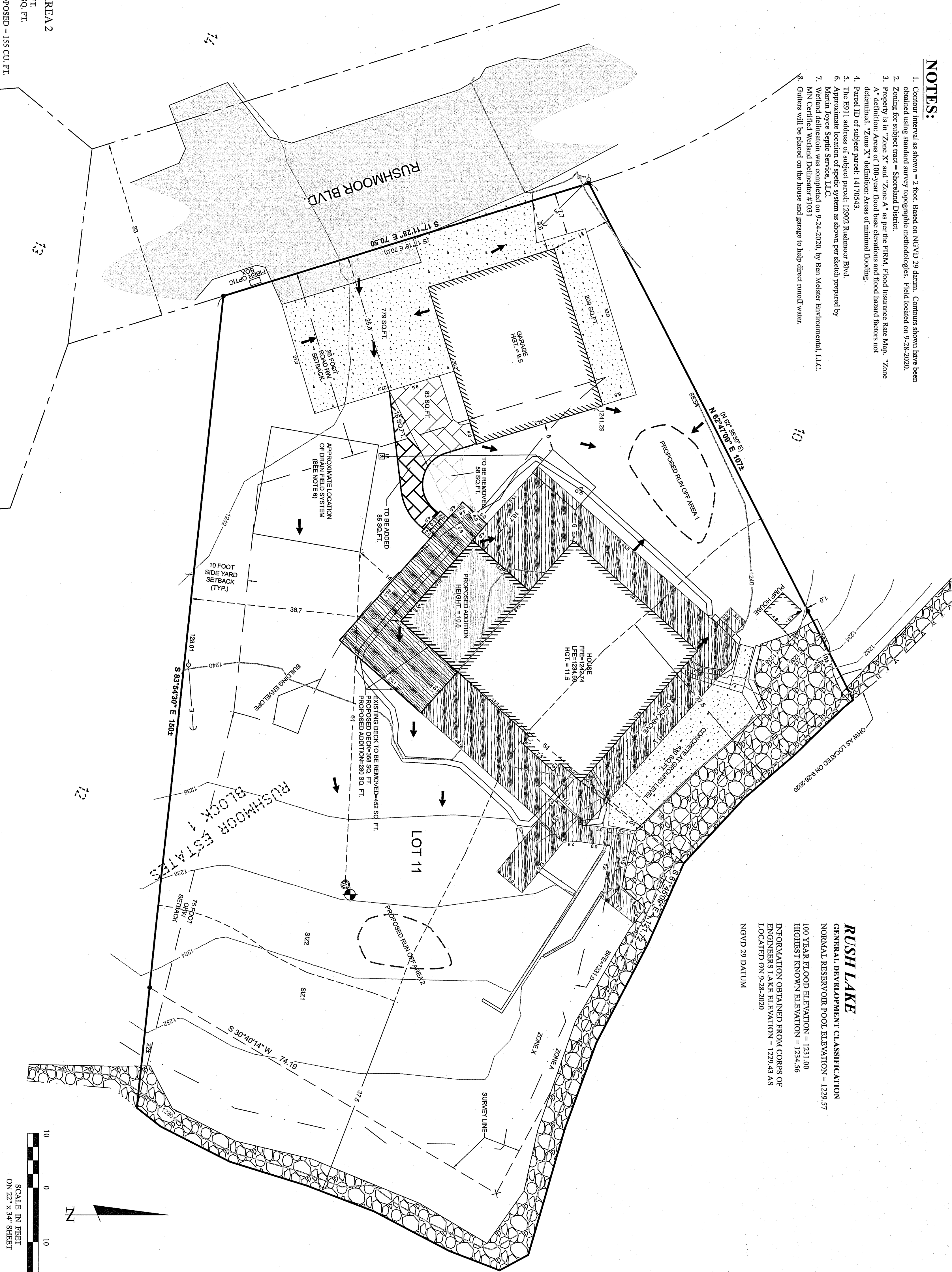
RUSH LAKE

GENERAL DEVELOPMENT CLASSIFICATION  
NORMAL RESERVOIR POOL ELEVATION = 1229.57

100 YEAR FLOOD ELEVATION = 1231.00  
HIGHEST KNOWN ELEVATION = 1234.56

INFORMATION OBTAINED FROM CORRS OF  
ENGINEERS LAKE ELEVATION = 1229.43 AS  
LOCATED ON 9-28-2020

NGVD 29 DATUM



CERTIFICATE OF SURVEY  
JEFF HANSON  
HY-TEC CONSTRUCTION  
PO BOX 621  
BRainerd, MN 56401

PROJECT MANAGER: CMH  
CHECKED BY: CMH  
DRAWN BY: SGB  
PROJECT No.: 20295  
FILE NAME: C20295.dwg  
FIELD BOOK: BOOK 459 PG. 45  
DATE: 10-8-2020  
SCALE: 1"=10'  
HORIZ. 1"=10'  
VERT. NONE

REVISIONS  
DATE 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.  
CYNTHIA M. HEDDE PL.S# 44881  
DATE 10-8-2020 LIC. NO. 44881



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









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

Receipt Number: 475956

Permit Number: 2010193V

Property Owner(s): Steve Candoff Weber, Kunza, Cundiff, LLC

Mailing Address: 14735 Hwy 65 NE, Ham Lake, MN, 55304

Site Address: 12902 Rushmoor Blvd Crosslake MN 56442

Phone Number: 612-723-3808

E-Mail Address: src.fl.res@gmail.com

Parcel Number(s): 14170543

Legal Description: Lot 11, Block 1, Rushmoor Estates

Sec 17 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Rush Lake

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

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

Authorized Agent: Jeff Hanson Hy-Tec Construction

Agent Address: 11360 Business 371 Brainerd MN 56401

Agent Phone Number: 218-829-8529

**Variances**

(Check applicable requests)

- ☒ Lake/River Setback  
Addition to cabin
- ☒ Road Right-of-Way Setback  
16 sqft pavers
- ☐ Bluff Setback
- ☐ Side Yard Setback
- ☐ Wetland Setback
- ☐ Septic Tank Setback
- ☒ Septic Drainfield Setback  
Addition to cabin
- ☐ Impervious Coverage
- ☐ Accessory Structure
- ☐ Building Height
- ☐ Patio Size
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

Signature of Property Owner(s) Steve Candoff

Date 10-6-2020

Signature of Authorized Agent(s) Jeff Hanson

Date 10/9/2020

- 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 [Signature] Date 10/9/2020

Land Use District SD

Lake Class G Septic: Compliance 9/29/2020 SSTS Design \_\_\_\_\_ Installation \_\_\_\_\_



Steve Cundiff

Practical Difficulty Statement answers:

In this Variance we will be asking for approval for an addition to be within the lake setback, road setback, sewer treatment drain field setback.

1. Yes, the proposed Foyer/master bathroom addition is designed to be attached to the existing cabin as far away from the lake as possible based on the existing cabin location. The addition and remodel will enhance the appearance of the existing cabin.
2. Yes, The addition and remodel will update the interior and exterior of the existing cabin. The exterior will receive new hand hewed log siding. The interior finishes will be updated along with the Electrical and mechanical systems.
3. Yes, the property is a lake lot with lake setbacks and road setbacks. With the lot size and location, we are unable to meet the setbacks with this addition. The owner wants to attach a 14' x 20' foyer/master bath addition to the roadside of the cabin. There is an existing deck now in the location of the new addition is proposed. We feel this is the most reasonable proposed addition without encroaching on the lake setback, road setback or sewer setback.
4. Yes, the addition and remodel will update the appearance of the existing cabin to better match the neighboring properties. The new addition will not change the roof line of the existing cabin or extend taller than the existing roof structure.
5. Yes, the existing Cabin was built before the zoning codes, road setbacks and lake setbacks were established. As a result, the cabin is located within the lake setback which makes it hard to add on to the existing cabin without being inside the lake set back.
6. Yes, the addition and remodel will improve the look of the existing cabin to match the neighboring properties. This will replace the old failing siding. The proposed addition is as far away from the lake as possible but is still within the lake setback.



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: