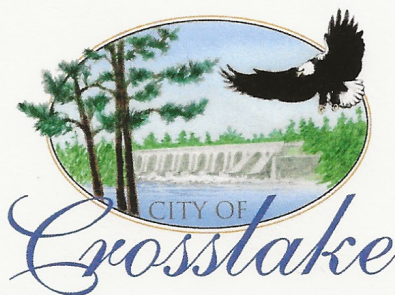


City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



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:** Brian K & Cheryl A Evenson

**Authorized Agent:** N/A

**Site Location:** 11804 Whitefish Avenue, Crosslake, MN 56442 on Lower Whitefish Lake-GD

**Variance for:**

- Accessory structure size of 1,728 square feet where 1,200 square feet is allowed

**To construct:**

- 1,728 square foot 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](mailto:crosslakepz@crosslake.net)).



## STAFF REPORT

Property Owner/Applicant: Brian K & Cheryl A Evenson

Parcel Number(s): 14060816

Application Submitted: October 7, 2020

Action Deadline: December 6, 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:**

- Accessory structure size of 1,728 square feet where 1,200 square feet is allowed

**To construct and allow:**

- 1,728 square foot accessory structure

**Current Zoning:** Shoreland District

**Existing Impervious Coverage:**

0%

- A stormwater management plan was submitted with the variance application
- Septic site suitabilities were submitted dates 9-16-2020

**Proposed Impervious Coverage:**

24%

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

- Property is located on Whitefish Avenue, Lot 18, Block 8, Manhattan Beach (A Replat of Twin Beach)
- The proposed accessory structure to be approximately 1728 sf where 1200 sf is allowed
- Personal use only with no facilities
- 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% (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 and 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 design if needed or two site suitabilities
- 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 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 design if project requires or two site suitabilities
5. A complete Variance application with the \$500.00 public hearing fee

#### **Parcel History:**

- Manhattan Beach (A Replat of Twin Beach) - 1926
- No files records for this vacant lot

#### **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:**

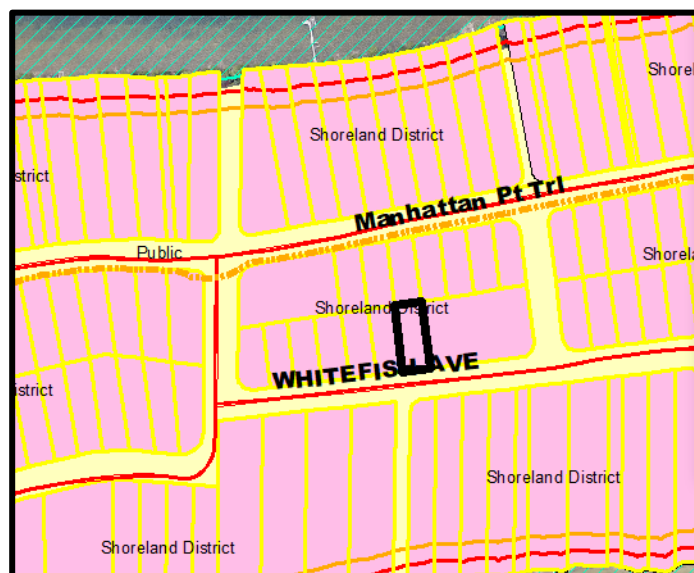
To approve/table/deny the variance to allow:

- Accessory structure size of 1,728 square feet where 1,200 square feet is allowed

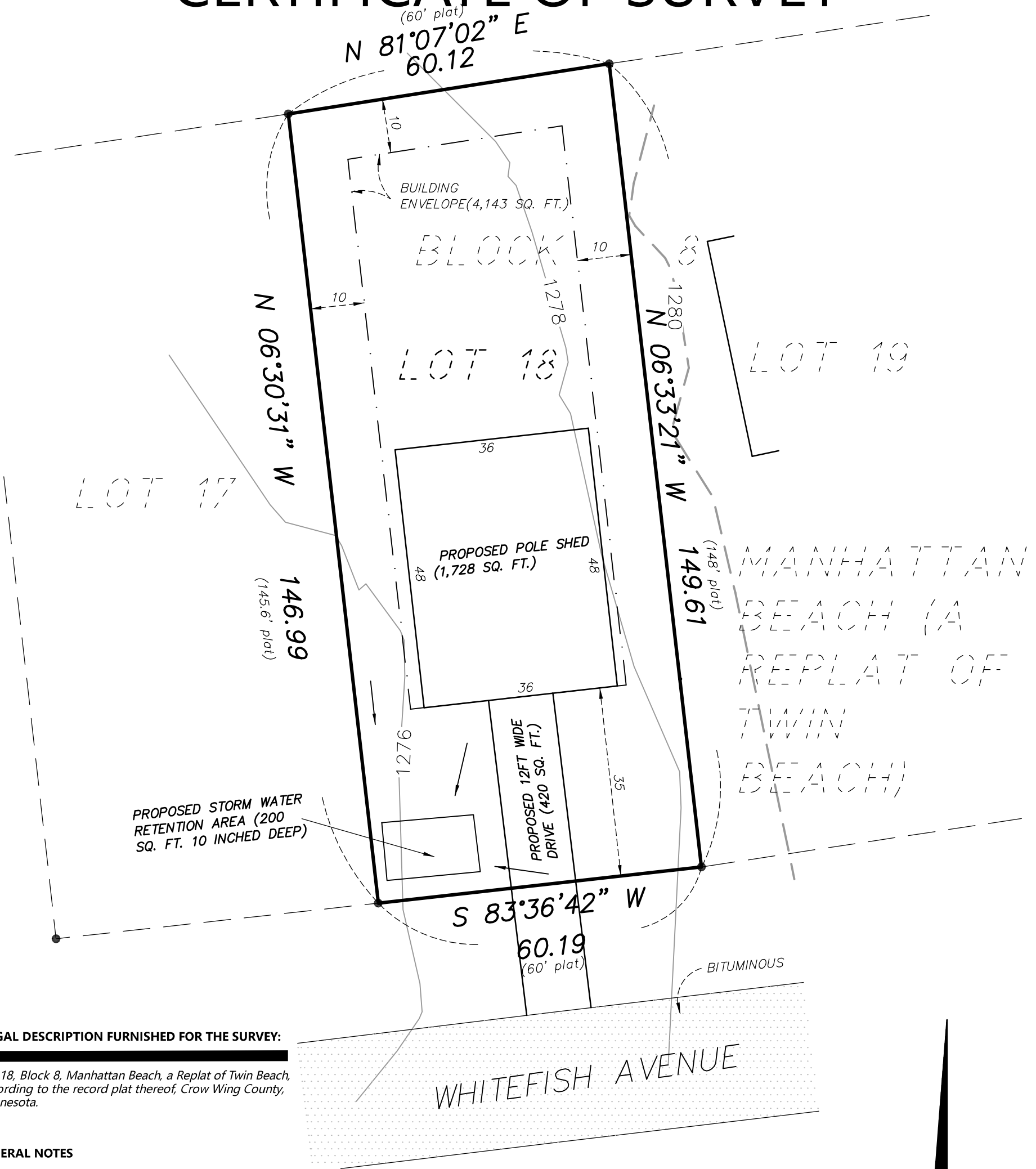
To construct:

- 1,728 square foot accessory structure

As shown on the certificate of survey dated 9-25-2020



# CERTIFICATE OF SURVEY



LEGAL DESCRIPTION FURNISHED FOR THE SURVEY:

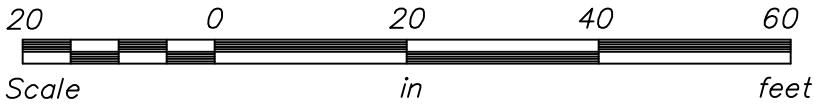
Lot 18, Block 8, Manhattan Beach, a Replat of Twin Beach, according to the record plat thereof, Crow Wing County, Minnesota.

GENERAL NOTES

- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Bearings shown are based upon the Wright County Coordinate System.
- The underground utilities shown have been located from field survey information. The surveyor makes no guarantees that the utilities shown comprise all such utilities in the area, either in service or abandoned.
- Total area of subject property: 8,916 SQ. FT.
- Proposed Impervious Coverage = 24%
- Current zoning on the subject property is Shoreland.

LEGEND

● DENOTES FOUND MONUMENT



I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul Herkenhoff

9-28-20

Paul Herkenhoff, R.L.S.  
License No. 45875

Date

REQUESTED BY:

EVENSON

Lakes Area  
SURVEYING  
LLC.

24314 SMILEY ROAD, SUITE C  
NISSWA, MN 56468  
OFFICE (218) 961-0090



Drawn by:

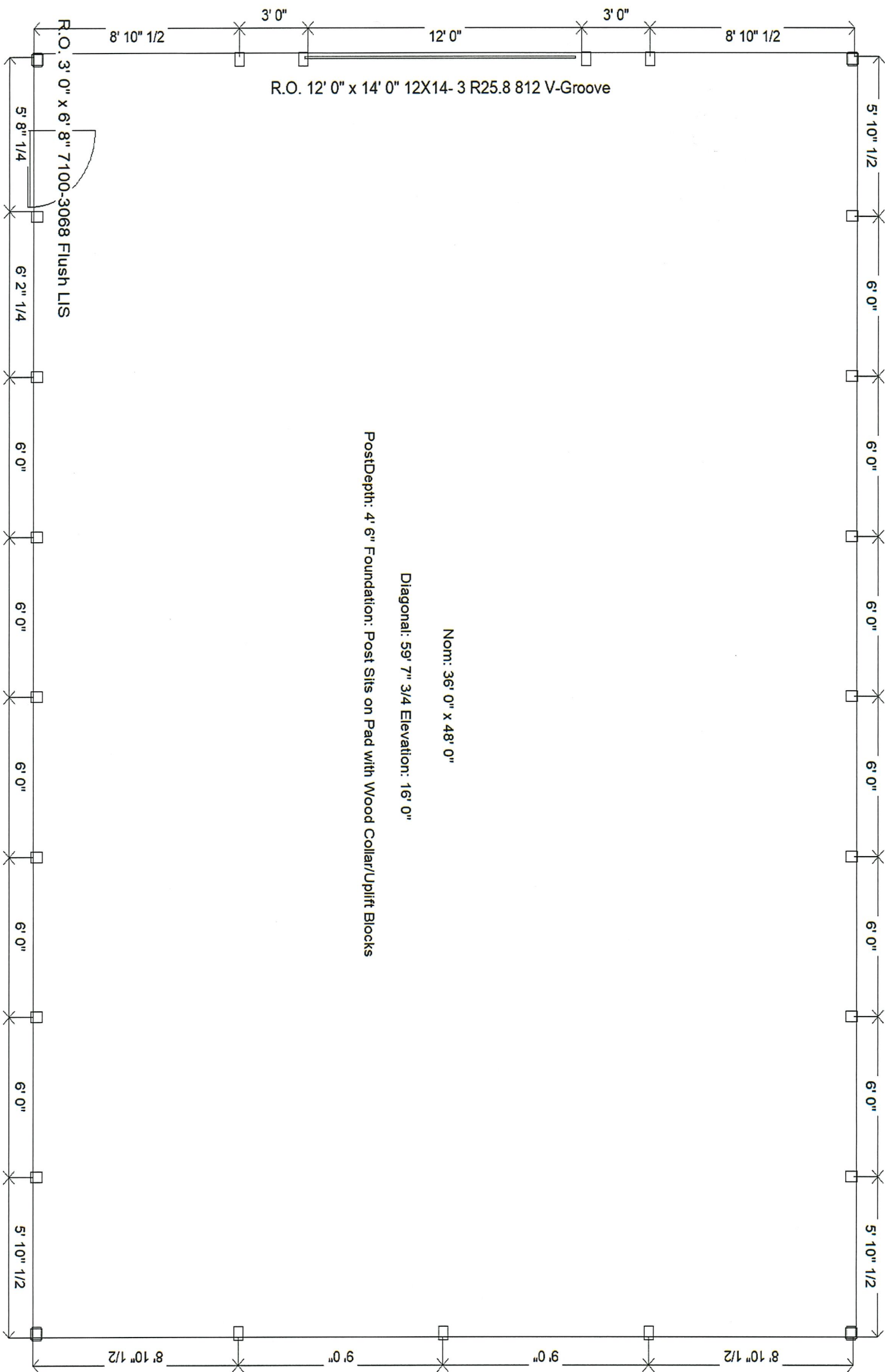
PDH

Date:

09/25/20

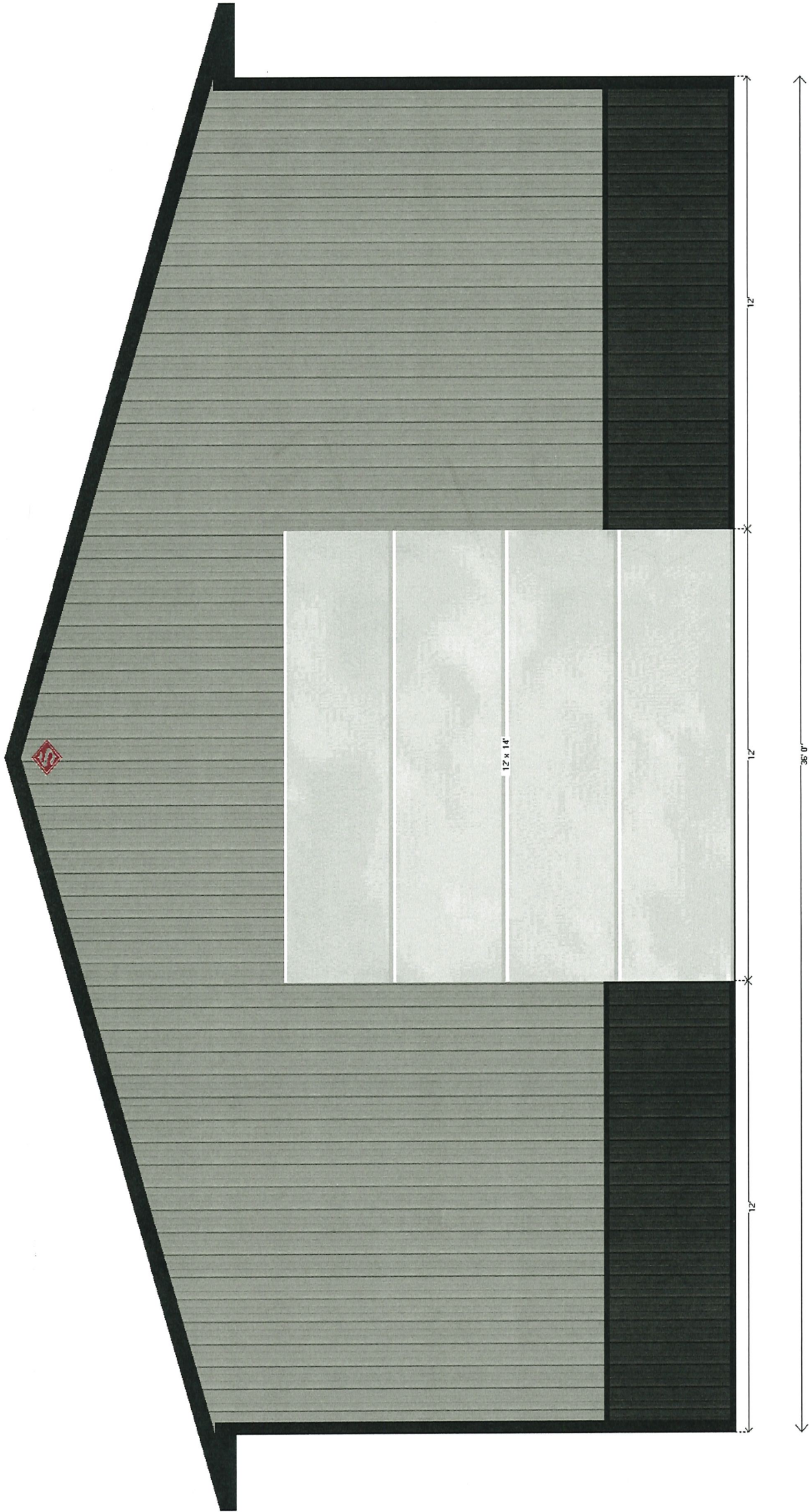
Job No:

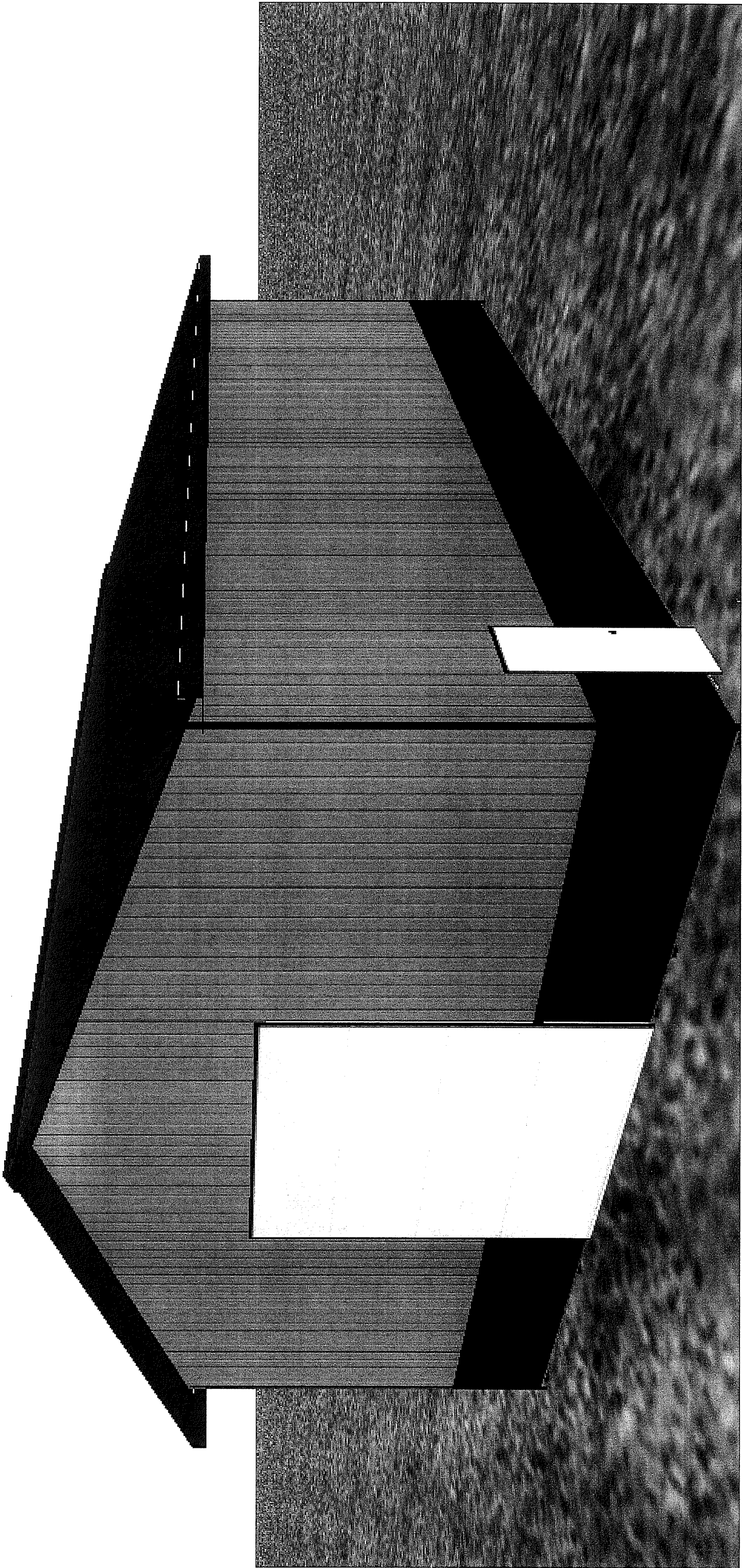
20-224



Nom: 36' 0" x 48' 0"  
Diagonal: 59' 7" 3/4 Elevation: 16' 0"  
PostDepth: 4' 6" Foundation: Post Sits on Pad with Wood Collar/Uplift Blocks

ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- West







## 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: 475952

Permit Number: 2010187V

Property Owner(s): BRIAN K & CHERYL A EVENSON

Mailing Address: 3805 ALVARADO LN N PLYM MN. 55446

Site Address: 11804 WHITEFISH AVE

Phone Number: 763 498 9027

E-Mail Address: BRIANKEVENSON@ICLOUD.COM

Parcel Number(s): 14 06 08 16

Legal Description: LOT 18 BLOCK 8

Sec 6 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: LOWER WHITEFISH LAKE

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

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

Authorized Agent: \_\_\_\_\_

Agent Address: \_\_\_\_\_

Agent Phone Number: \_\_\_\_\_

Signature of Property Owner(s) Brian Evenson

Date 9-28-2020

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 [Signature] Date 10/7/2020

Land Use District SD

Lake Class GD Septic: Compliance SSTS Design Installation \_\_\_\_\_

9/16/2020

Variances	
(Check applicable requests)	
<input type="checkbox"/>	Lake/River Setback
<input type="checkbox"/>	Road Right-of-Way Setback
<input type="checkbox"/>	Bluff Setback
<input type="checkbox"/>	Side Yard Setback
<input type="checkbox"/>	Wetland Setback
<input type="checkbox"/>	Septic Tank Setback
<input type="checkbox"/>	Septic Drainfield Setback
<input type="checkbox"/>	Impervious Coverage
<input type="checkbox"/>	Accessory Structure
<input type="checkbox"/>	Building Height
<input type="checkbox"/>	Patio Size
<input checked="" type="checkbox"/>	<u>Building Size</u>
<input type="checkbox"/>	_____



## 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: Will allow all storage to be inside  
in a nice looking building out of site  
of others

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

Yes ☒ No ☐

Why: Other polebarns on similar property near  
by. Will allow storage inside and out of  
site.

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

Yes ☒ No ☐

Why: yes because lot is too narrow.

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

Yes ☒ No ☐

Why: need variance of 24.83% to allow for  
36 x 48 polebarn to hold all equipment  
and toys



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: