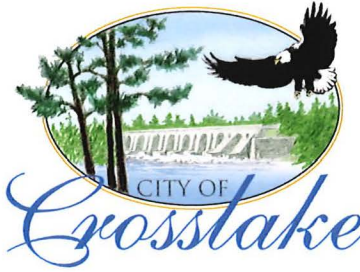


City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



13888 Daggett Bay Rd
Crosslake, Minnesota 56442
www.cityofcrosslake.org

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: Thomas J & Rachel K Thissen

Authorized Agent: Wes Hanson Builders, Inc.

Site Location: 16350 Bay Shores Rd, Crosslake, MN 56442 on Little Pine Lake-GD

Variance for:

- Road right-of-way (ROW) setback of 9.6 feet where 35 feet is required to proposed upper level dwelling addition

To construct:

- 1,925 square foot upper level dwelling addition where 515 square feet are within the ROW setback

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: Thomas J & Rachel K Thissen

Parcel Number(s): 14020528

Application Submitted: October 12, 2020

Action Deadline: December 11, 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: Wes Hanson Builders, Inc.

Variance for:

- Road right-of-way (ROW) setback of 9.6 feet where 35 feet is required to proposed upper level dwelling addition

To construct:

- 1,925 square foot upper level dwelling addition where 515 square feet are within the ROW setback

Current Zoning: Shoreland District

Existing Impervious Coverage:

13.5%

Proposed Impervious Coverage:

13.1%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 10-9-2020, completed by Martin Joyce and stating: Permit #7809 – system is sized for 5 bedrooms

Development Review Team (DRT) Minutes:

- None DRT attended

Parcel History:

- Bay Shores established in 1973
- June 1978 - 24x28 garage and 2-1000 gallon sewer tanks
- June 1983 – Build storage building
- August 1987 – Approximately 1418 sq ft addition to existing house
- September 2000 – Septic
- February 2001 – Plymouth Plumbing/Kent Johnston Variance denied for the construction of a 20'x11' addition onto the existing dwelling which would attach the existing detached garage to the dwelling, construction of a 2nd story living addition over the existing 28.1'x24.3' attached garage into living quarters and converting the existing 11'x8.1' wood shed into living quarters, all of which do not meet the 35 foot setback from Bay Shores Road right-of-way. Conditions: The detached garage which has been illegally converted into guest quarters be returned to the original use as a garage within 30 days.

- October 2001 – 8'x8' patio
- February 2007 – ATF permit for 168' of rip-rap
- March 2010 – Construction of a 15.5'x12' screen porch by Wes Hanson Builders

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

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:

- Road right-of-way (ROW) setback of 9.6 feet where 35 feet is required to proposed upper level dwelling addition

To construct:

- 1,925 square foot upper level dwelling addition where 515 square feet are within the ROW setback

As shown on the certificate of survey dated 10-14-2020



LEGAL DESCRIPTION PER DOCUMENT NO. 851035

Lot 1, Block 1, Bay Shores, Crow Wing County, Minnesota

CERTIFICATE OF SURVEY

GENERAL NOTES

- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Bearings shown are based upon the Crow Wing 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.
- Wetlands shown hereon were delineated by Mitch Brinks in October, 2020.
- Total area of subject property: 29,894± SQ. FT., Building envelope size = 3,464± sq. ft.
- Elevations shown hereon based on the NAVD 88 datum.
- Total existing and proposed impervious coverage is 4,057± sq. ft./13.5±%
- Parcel id is 14020528, current zoning is Shoreland Residential

LEGEND

- SEPTIC INSPECTION PIPE
- DENOTES FOUND 1/2 INCH IRON PIPE
- ELECTRIC METER
- CONCRETE SURFACE
- PAVERS
- BITUMINOUS SURFACE
- WOOD DECKING

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.

10-14-20

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

Scale: 1" = 30 feet

REQUESTED BY:

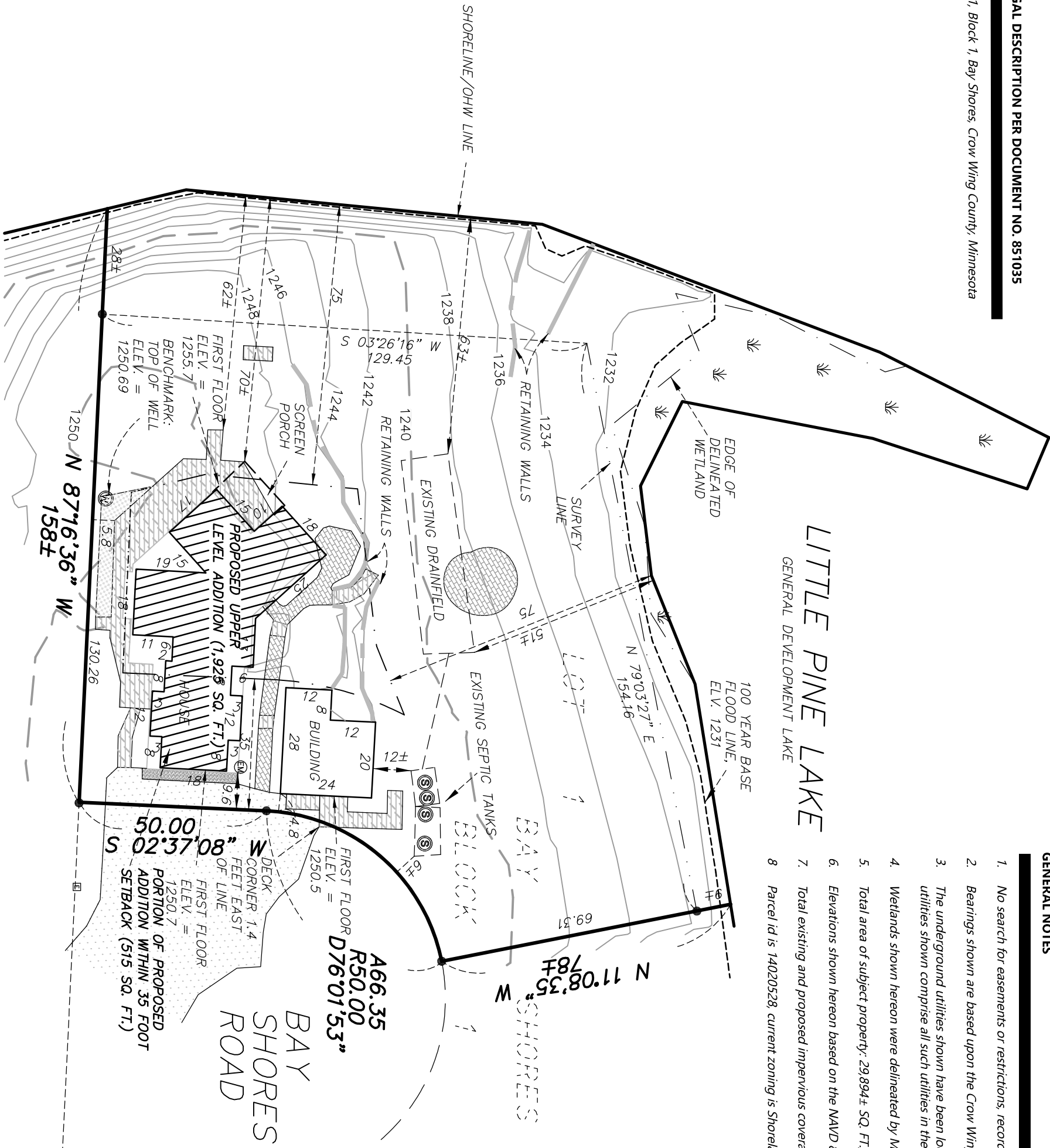
THISSEN

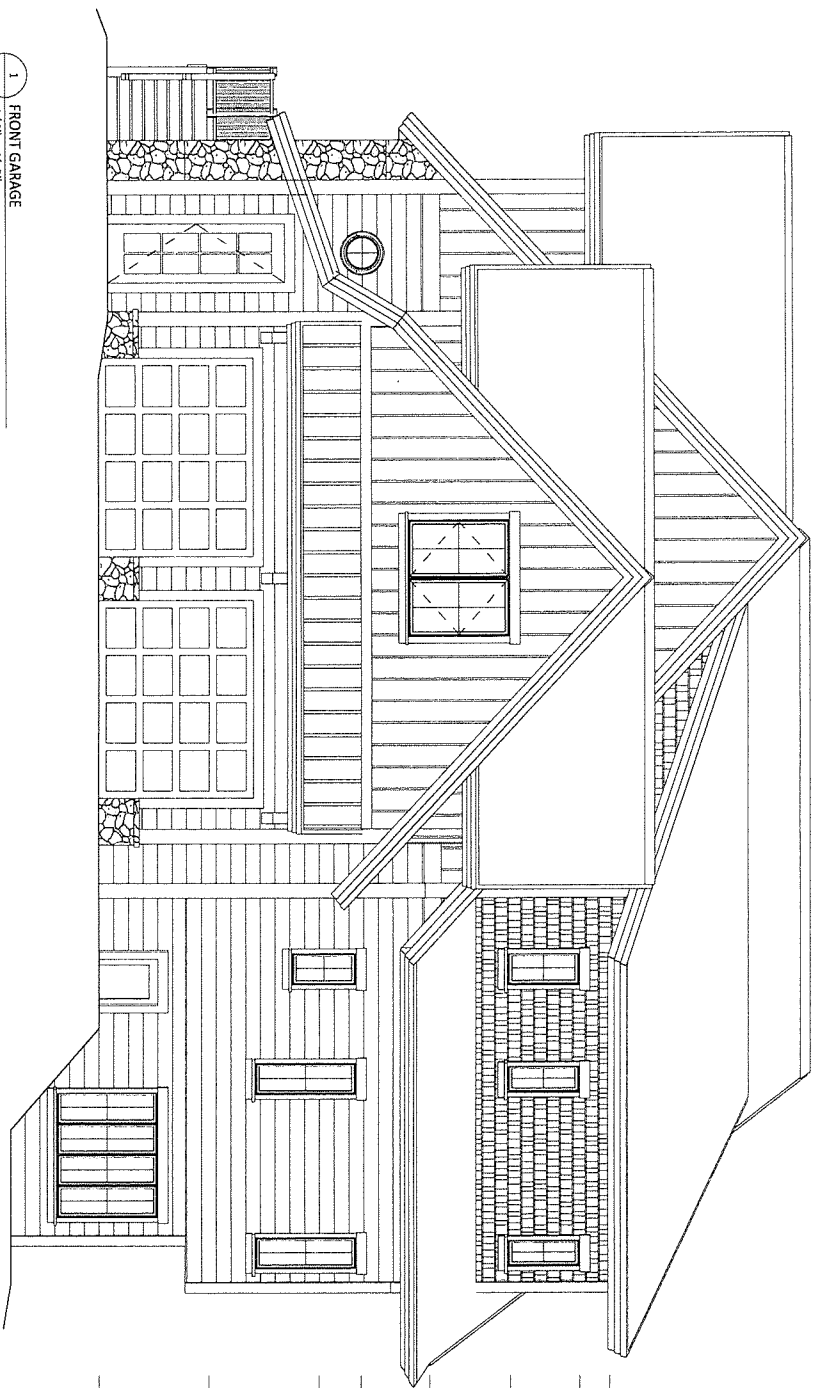
Lakes Area
SURVEYING LLC.

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

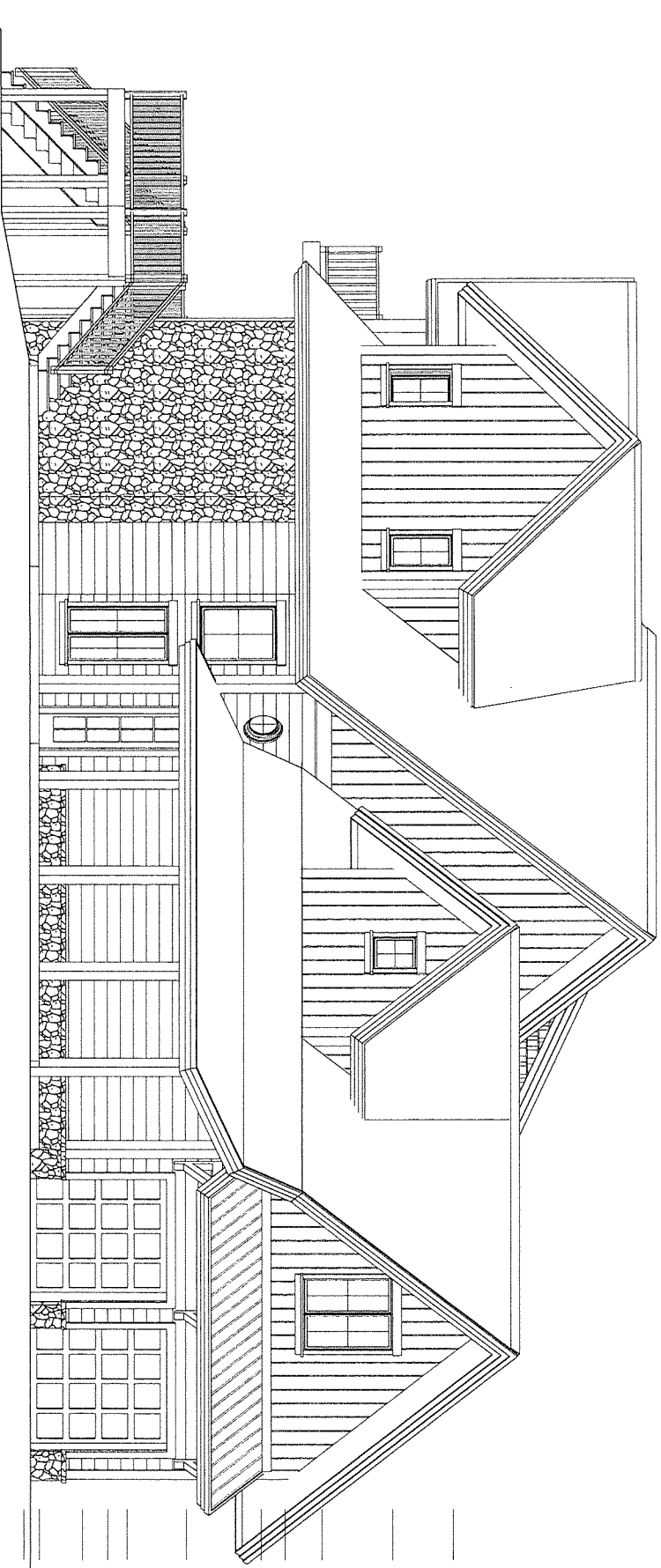
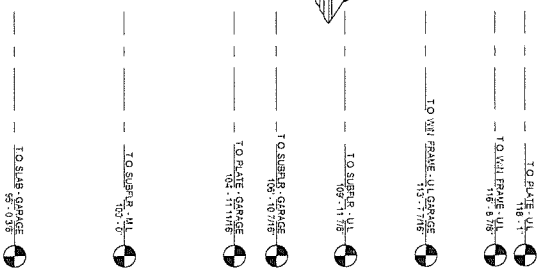


Drawn by: PDH Date: 07/14/20 Job No: 20-157

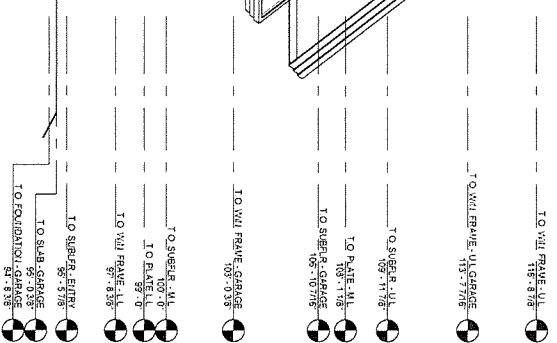




1	FRONT GARAGE
A2.3	1/4" = 1'-0"



3
A2.3 WEST ELEVATION
1/4" = 1'-0"



REVISIONS

THISSEN DESIGN
THISSEN
PROJECT INFORMATION
EXTERIOR ELEVATION

DRAWN BY: ECO
CHECKED BY: MWS
DATE: 9-11-20



WES HANSON BUILDERS INC.
GENERAL CONTRACTORS
AND PROFESSIONAL DESIGN

34103 COUNTY ROAD 3
CROSSLAKE, MN 56442
PHONE (218) 692-1760
FAX (218) 692-1770

PROPERTY OF WES HANSON BUILDERS, INC

A2.3

CERTIFICATE OF SURVEY

GENERAL NOTES

LEGAL DESCRIPTION PER DOCUMENT NO. 851035

Lot 1, Block 1, Bay Shores, Crow Wing County, Minnesota

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3. 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.
4. Wetlands shown hereon were delineated by Mitch Brinks in October, 2020.
5. Total area of subject property: 29,894± SQ. FT. Building envelope size = 3,464± sq. ft.
6. Elevations shown hereon based on the NAVD 88 datum.
7. Total existing and proposed impervious coverage is 4,057± sq. ft./13.5±%
8. Parcel id is 14020528, current zoning is Shoreland Residential

LEGEND

- SEPTIC INSPECTION PIPE
- DENOTES FOUND 1/2 INCH IRON PIPE
- ELECTRIC METER
- CONCRETE SURFACE
- PAVERS
- BITUMINOUS SURFACE
- WOOD DECKING

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 Hekkenhoff, R.L.S.
License No. 45875

Scale: 1" = 30 feet

Date

10-8-20

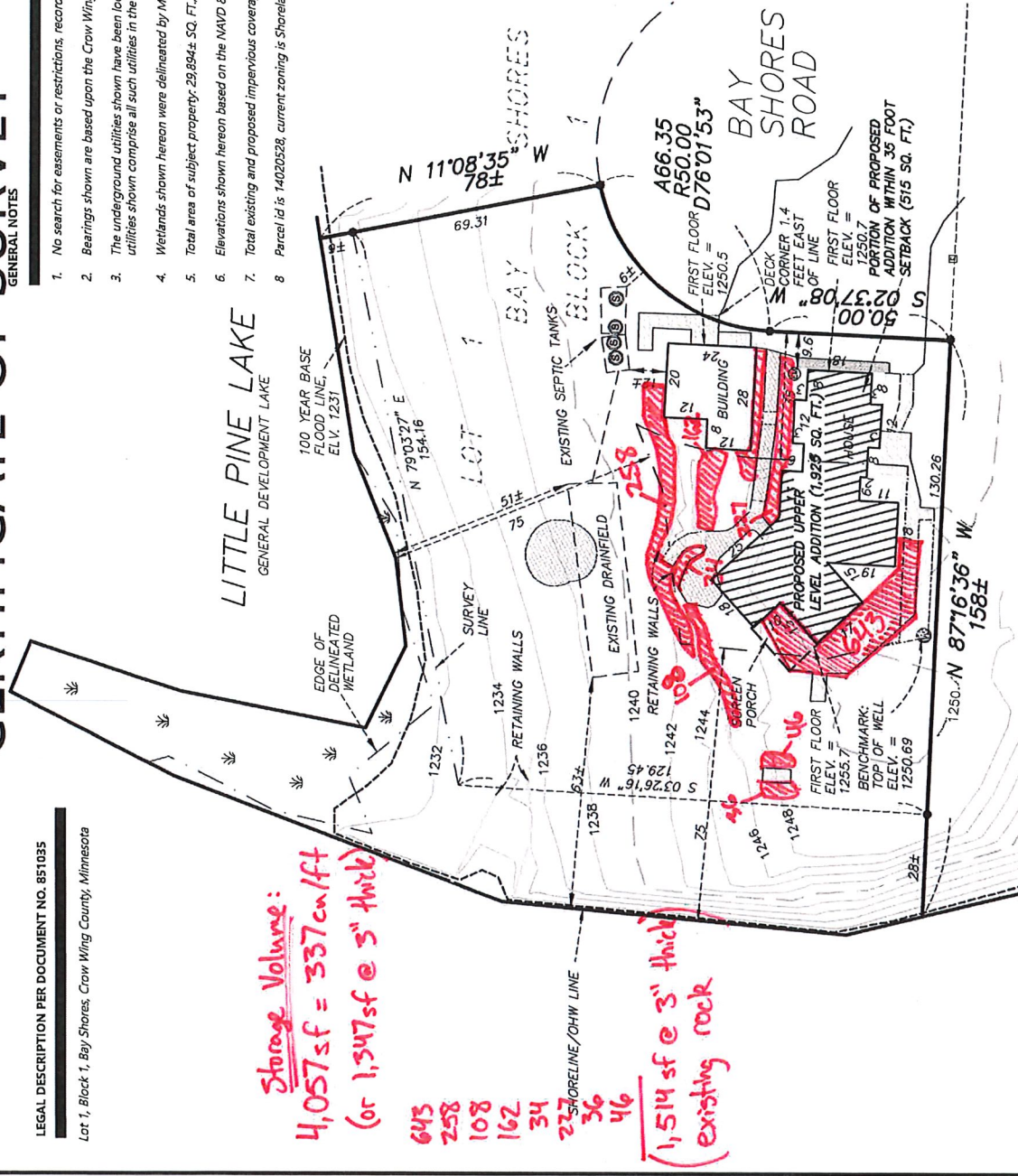
REQUESTED BY:

THISSEN

Lake Area
SURVEYING
LLC

24314 SHULTZ ROAD, SUITE C
NUSSWA, MN 56468
OFFICE (218) 961-0090

Drawn by: PDH Date: 07/14/20 Job No: 20-157





Variance Application
Planning and Zoning Department
13888 Daggett Bay Road, Crosslake, MN 56442
218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

Thomas J. + K. Receipt Number: 475959
Property Owner(s): Tom + Rachel Thissen

Permit Number: 2010196V

Mailing Address: 5209 Lochloy Dr - Minneapolis, MN 55436-2023

Site Address: 16350 Bay Shores Rd - Crosslake, MN 56442

Phone Number: 612-867-8417

E-Mail Address: tthissen@awardstaffing.com

Parcel Number(s): 14020528

Legal Description: Lot 1 Block 1, Bay Shores

Sec 2 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Little Pine Lake

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

If yes list Parcel Number(s) _____

Authorized Agent: Wes Hanson Builders, Inc.

Agent Address: Tom Hanson

Agent Phone Number: 218-692-1760

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) [Signature]

Date 10/9/20

Signature of Authorized Agent(s) [Signature]

Date 10/12/20

- 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 10/12/2020 Land Use District SD

Lake Class 6D Septic: Compliance 10/9/2020 SSTS Design _____ Installation _____



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:

The placement of the existing structure on the property within the road right of way setback is creating the difficulty. We are not proposing to increase the footprint / ground coverage in any way, merely removing the existing roof structure and adding additional living space by going up. Anything done to the property would have to be a variance because of the current condition / existing structure location.

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

Yes ☒ No ☐

Why:

There are many structures along Bay Shores Rd. that are of similar height, shape and volume. It would be in line with them and fit nicely within the neighborhood.

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

Yes ☒ No ☐

Why:

The road right of way setback at the cul-de-sac creates the non-conformity of the existing attached garage. Again, we do not plan to alter the existing footprint in any way but instead propose to add an upper level allowing for additional living space in the least invasive way possible. We would also install gutters, which current structure doesn't have, to control runoff and direct away from the lake.

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

Yes ☒ No ☐

Why:

Our proposal is an attempt to solve a need in the least invasive way possible because of the non-conformity caused by existing conditions. An addition in any other capacity would increase footprint and therefore impervious coverage. The need for a variance is based wholly on the condition / location the existing home is in. The proposed would meet all other zoning requirements as set forth by the city.



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: