

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)

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

### **PUBLIC HEARING NOTICE**

**Applicant:** Todd W Seyfert Trust Dated 5-29-07

**Authorized Agent:** N/A

**Site Location:** 11729 Whitefish Avenue, Crosslake, MN 56442 on Whitefish Lake-GD

**Variance for:**

- Bluff setback of 0 feet where 30 feet is required to proposed water oriented accessory structure

**To construct:**

- 100 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](mailto:crosslakepz@crosslake.net)).



## STAFF REPORT

Property Owner/Applicant: Todd W Seyfert Trust Dated 5-29-07

Parcel Number(s): 14010742

Application Submitted: November 6, 2020

Action Deadline: January 5, 2021

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:**

- Bluff setback of 0 feet where 30 feet is required to proposed water oriented accessory structure

**To construct:**

- 100 square foot water oriented accessory structure

**Current Zoning:** Shoreland District

**Existing Impervious Coverage:**

19.3%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 8-26-19

**Proposed Impervious Coverage:**

19.8%

**Development Review Team Minutes held on 10-16-2020:**

- Property is located on Crosslake at 11729 Whitefish Avenue with a lake setback of 75 feet
- The proposed WOAS to be approximately 23 feet from the OHW of Crosslake
- Proposed structure to be built on posts, maximum of 120 sf size, 12' mid-peak height and minimum of a 4/12 roof pitch
- 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 and would be included in the 120 sf maximum size
- Existing fire pit to be reconstructed as is (new wood)
- 2001 CUP required a deck violation to be reconstructed and a landing of no more than 32 sf
- 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 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
- Septic compliance inspection is on file dated 8-26-19
- 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 complete Variance application with the \$500.00 public hearing fee

#### **Parcel History:**

- Manhattan Beach Second Addition established in 1927
- July 1983 – Septic
- October 1987 – Demo existing garage – construct new 20x24 garage
- May 2000 – Conditional Use Permit / Variance application
- July 2000 – Denied a variance and required that the deck be reduced to a dimension not to exceed 32 square feet to meet the definition of a landing or be removed from the property
- August 26, 2019 Compliant septic system compliance inspection

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

**County Highway Dept:** N/A

**DNR:** No comments were received as of 12-7-2020

**City Engineer:** N/A

**Lake Association:** No comments were received as of 12-7-2020

**Township:** N/A

**Crosslake Public Works:** No comments were received as of 12-7-2020

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

**Concerned Parties:** No comments were received as of 12-7-2020

#### **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:

- 100 square foot water oriented accessory structure

As shown on the certificate of survey dated 11-5-2020







nothing to the west

EXPECT: Proposed area for WAS



EXPECT: existing stairs + proposed area for WAS

EXPECT: existing firepit



EXPECT: existing stairs

EXPECT: existing firepit



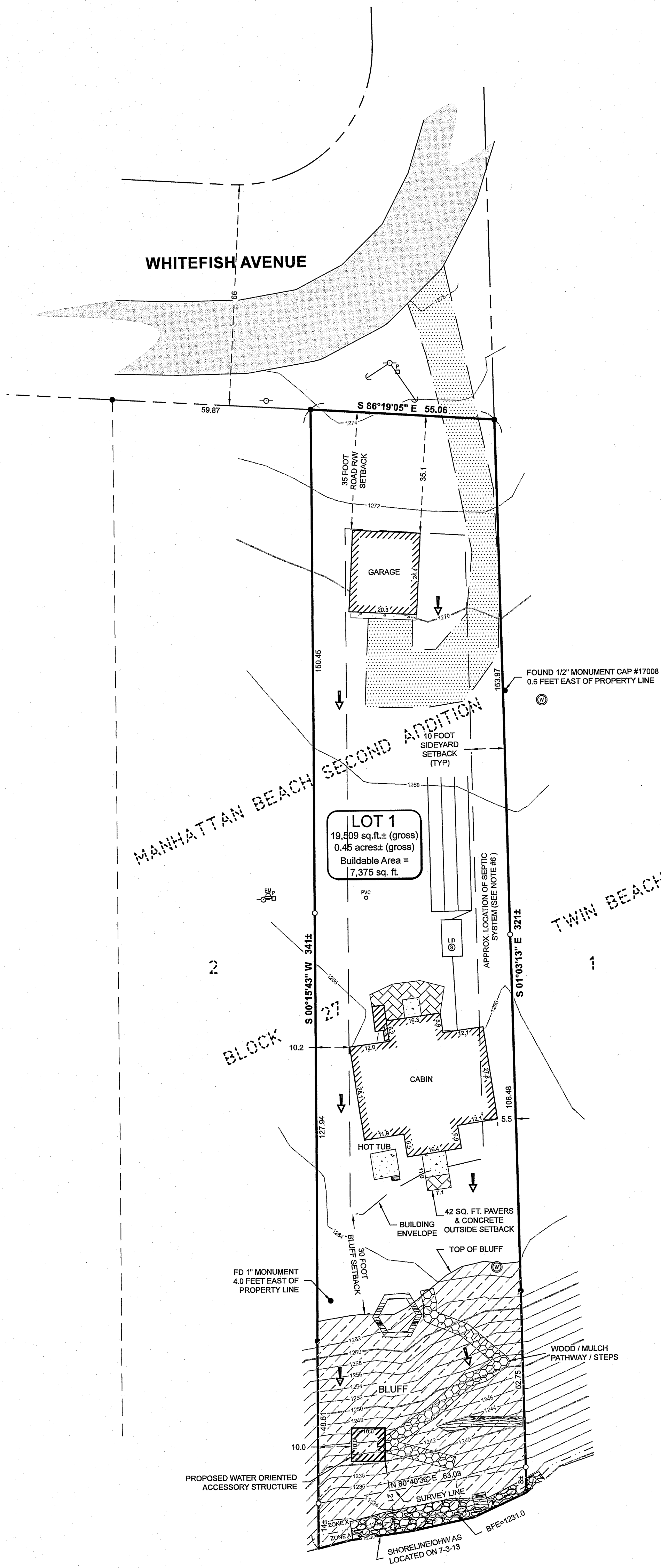
EXPECT: proposed natural "landing" for water recreation structure





# CERTIFICATE OF SURVEY

LOT 1, BLOCK 27, MANHATTAN BEACH SECOND ADDITION,  
SECTION 1, TOWNSHIP 137 NORTH, RANGE 28 WEST,  
CROW WING COUNTY, MINNESOTA.



## LEGEND

- DENOTES EDGE OF EXISTING BITUMINOUS
  - DENOTES EDGE OF EXISTING GRAVEL
  - DENOTES EDGE OF EXISTING CONCRETE
  - DENOTES EDGE OF EXISTING WOODEN DECKING
  - DENOTES EDGE OF EXISTING RIP-RAP
  - DENOTES BLUFF AREA
  - DENOTES EXISTING INTERMEDIATE CONTOURS
  - DENOTES EXISTING INDEX CONTOURS
  - DENOTES EXISTING SURFACE DRAINAGE FLOW
  - DENOTES EXISTING UTILITY POLE W/ GUY WIRE
  - DENOTES EXISTING ELECTRIC METER
  - DENOTES EXISTING PHONE PEDESTAL & PHONE BOX
  - DENOTES EXISTING WELL
  - DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
  - DENOTES MONUMENT FOUND
  - DENOTES IRON MONUMENT SET MARKED BY LICENSE No. 44881
- ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF LOT 1, MANHATTAN BEACH SECOND ADDITION TO HAVE AN ASSUMED BEARING OF S 01°03'13\"

## IMPERVIOUS CALCULATIONS

EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House	1,372	19,509	7.0%
Garage	494	19,509	2.5%
Hot Tub	60	19,509	0.3%
Concrete & Pavers	303	19,509	1.6%
Gravel	1,423	19,509	7.3%
30% of steps to lake	118	19,509	0.6%
Total	3,770	19,509	19.3%

## IMPERVIOUS CALCULATIONS

PROPOSED	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House	1,372	19,509	7.0%
Garage	494	19,509	2.5%
Hot Tub	60	19,509	0.3%
Concrete & Pavers	303	19,509	1.6%
Gravel	1,423	19,509	7.3%
30% of steps to lake	118	19,509	0.6%
Water oriented accessory structure	100	19,509	0.5%
Total	3,870	19,509	19.8%

## WHITEFISH LAKE

GENERAL DEVELOPMENT CLASSIFICATION  
NORMAL RESERVOIR POOL ELEVATION = 1229.57

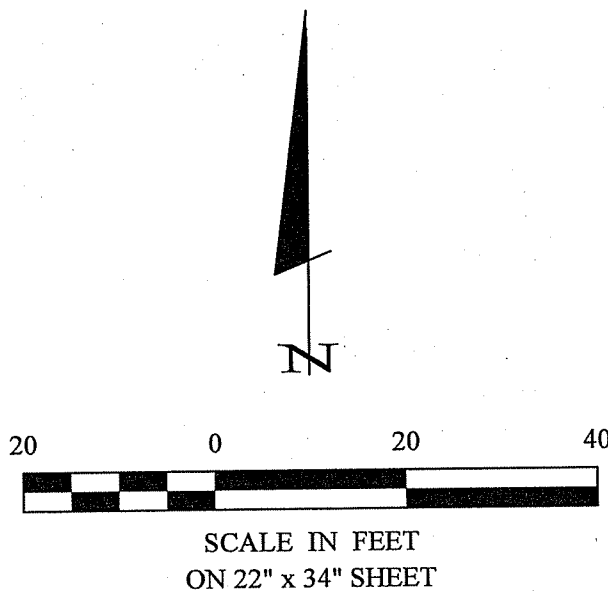
100 YEAR FLOOD ELEVATION = 1231.00  
HIGHEST KNOWN ELEVATION = 1234.56

INFORMATION OBTAINED FROM CORPS OF ENGINEERS LAKE ELEVATION = 1229.45 7/3/13

BASED ON NGVD 29 DATUM

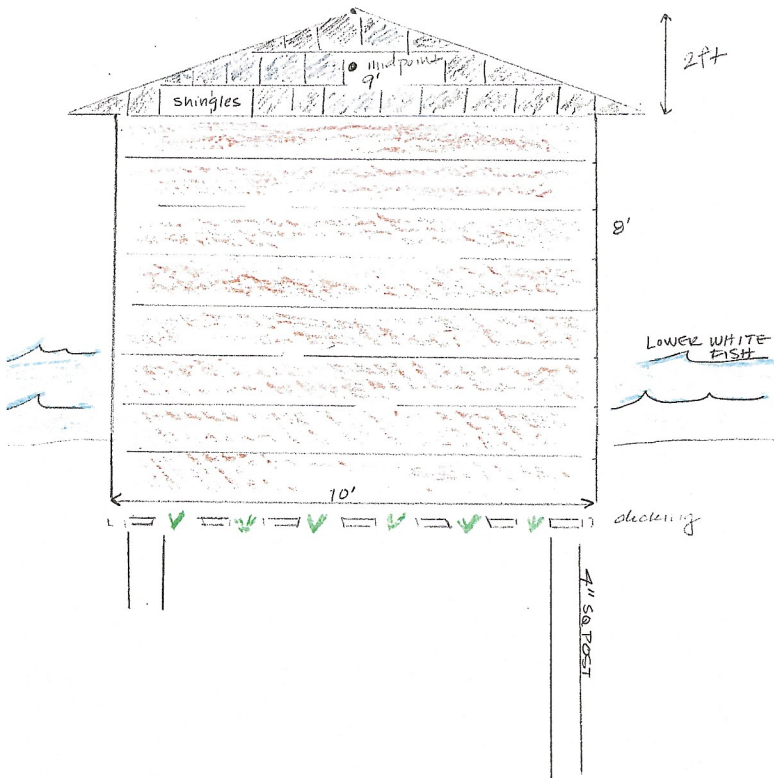
## NOTES:

- Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 7/3/13.
- Zoning for subject tract and adjoining properties = "Shoreland District".
- 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 ID of subject parcel: 14010742.
- The property address of subject parcel: 11729 Whitefish Avenue.
- Approximate location of septic system per sketch prepared by Amy A. Wannebo, LAS Design and Inspecting, Inc.
- No wetlands were found on September 4, 2020 at the site per Ben Meister, Meister Environmental, LLC. MN Certified Wetland Delineator #1031.



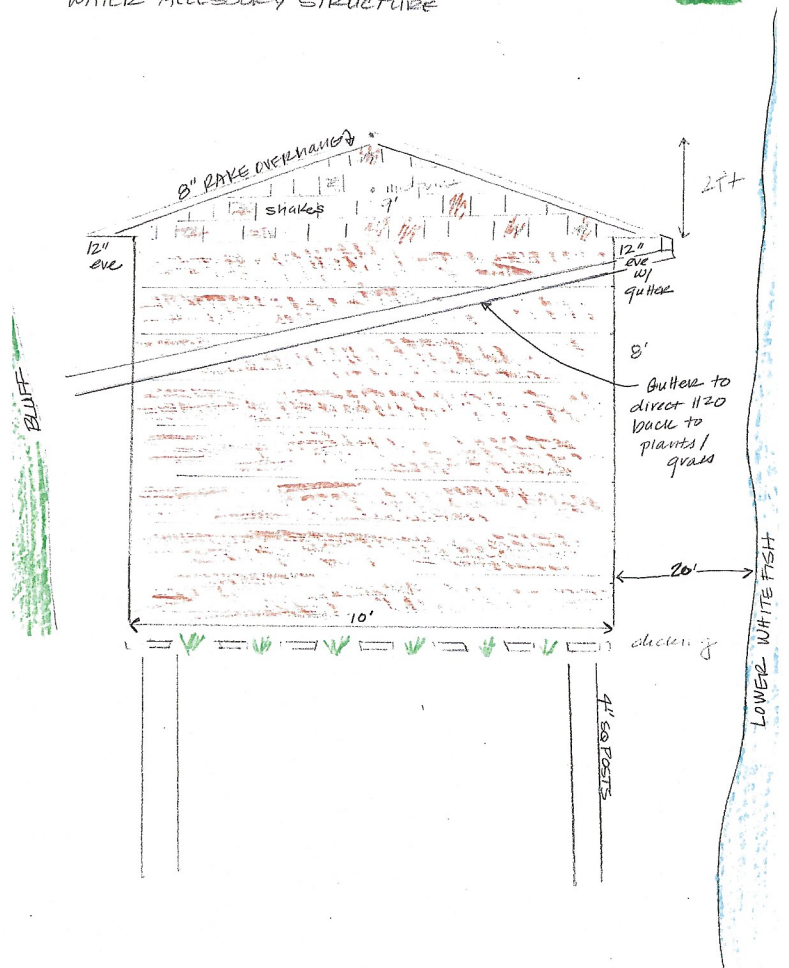
SEYFERT  
WATER ACCESSORY STRUCTURE

View from  
NORTH



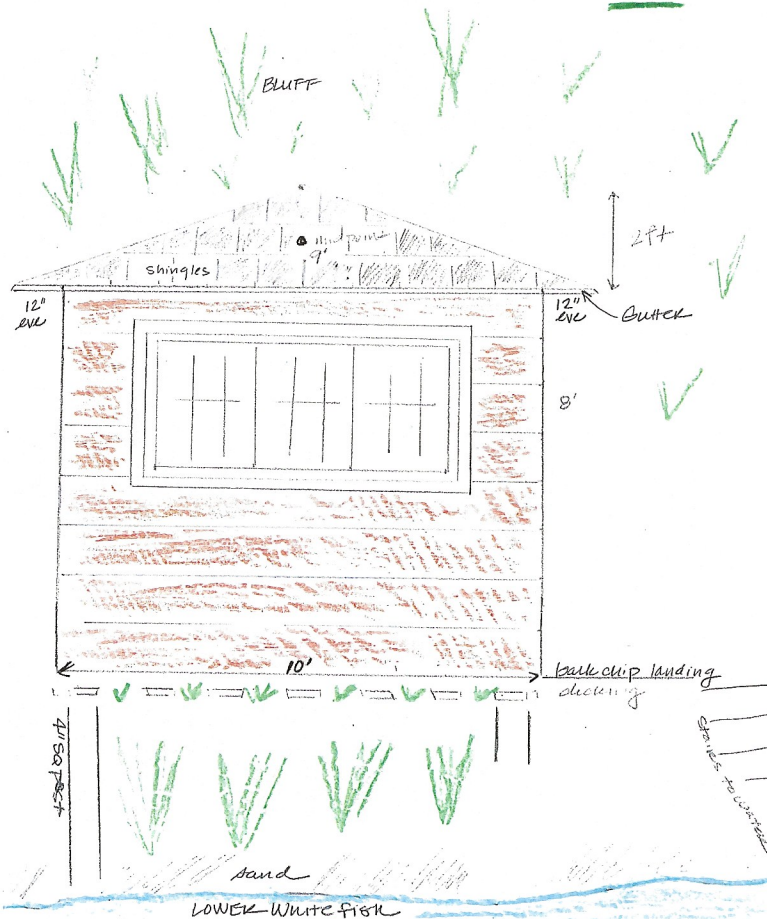
SEYFERT  
WATER ACCESSORY STRUCTURE

View from  
WEST



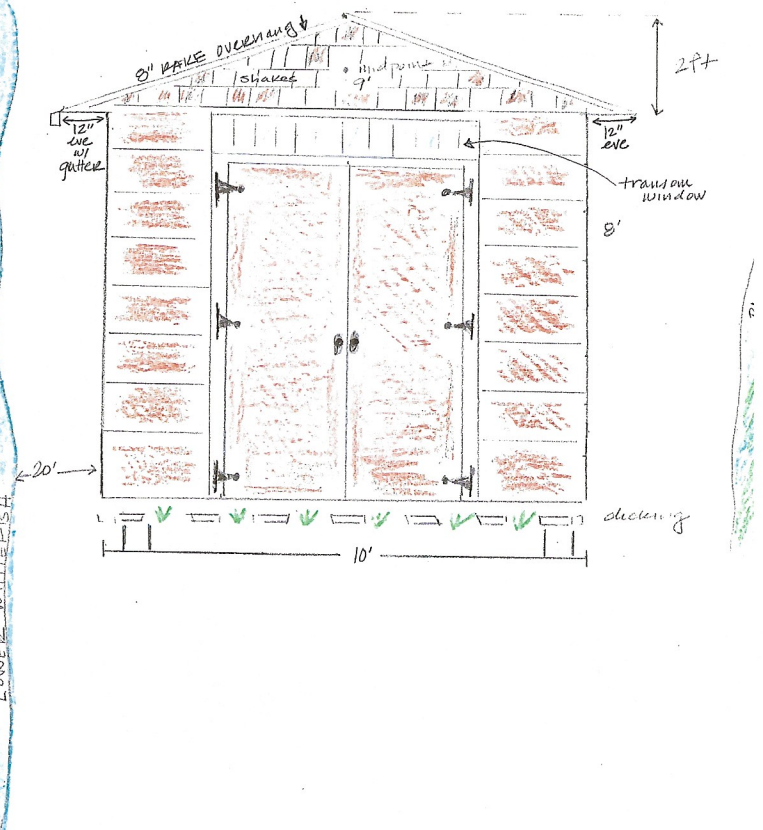
SEYFERT  
WATER ACCESSORY STRUCTURE

View from  
SOUTH



SEYFERT  
WATER ACCESSORY STRUCTURE

View from  
EAST



# Stormwater Management Plan

## 11729 Whitefish Avenue

### Crosslake, MN

Our property includes an original 1930's cabin which has the same footprint it did when it was built. The terrain of the property is covered with natural no-mow vegetative soil surfaces, bermed rain gardens, rock and lawn which is NOT fed with a sprinkler system.

The following best management practices (BMP) have been utilized to control stormwater, treat runoff and prevent erosion on our property.

#### BMP: No-Mow Natural Vegetative Soil Surfaces

We have maintained significant no-mow vegetative soil surfaces on our property. The northern end of the property includes 1400 sq feet between the road and our garage. The entirety of the bluff facing south, 4,000 sq feet, is also no-mow vegetation of grasses, bushes and trees.

#### BMP: Gutters

We have a gutter system on our cabin which also includes gutter helmets to ensure unobstructed water flow. The water is funneled via the gutters off the cabin to a combination of rain gardens, lawn and rock edging.

#### BMP: Rain Gardens

In the past year we have added 810 sq feet of rain gardens on the north and west sides of our cabin. The gardens are planted with bushes, grasses and flowers which are not watered with an underground irrigation system.

$810 \times .25 = 202.5$  cubic feet for water retention and drainage

#### BMP: Berms

The rain gardens we added were constructed in a manner to create a natural looking berm for the retention of water on our property and to water our added flower, bushes and grasses.

#### BMP: Rock

At the same time the bermed rain gardens were put in, we also added 656 sq feet of rock, 3" deep, on the south and east sides of our cabin to assist with draining rain water.

$656 \times .25 = 164$  cubic feet for water retention and drainage

#### BMP: Lawn



The cabin is surrounded by a natural lawn, not fed by an irrigation system. The lawn is filled with numerous natural depressions which allow for rain retention and absorption equaling a combined total of 142 square feet.

$142 \times .25 = 35.5$  cubic feet for water retention and drainage

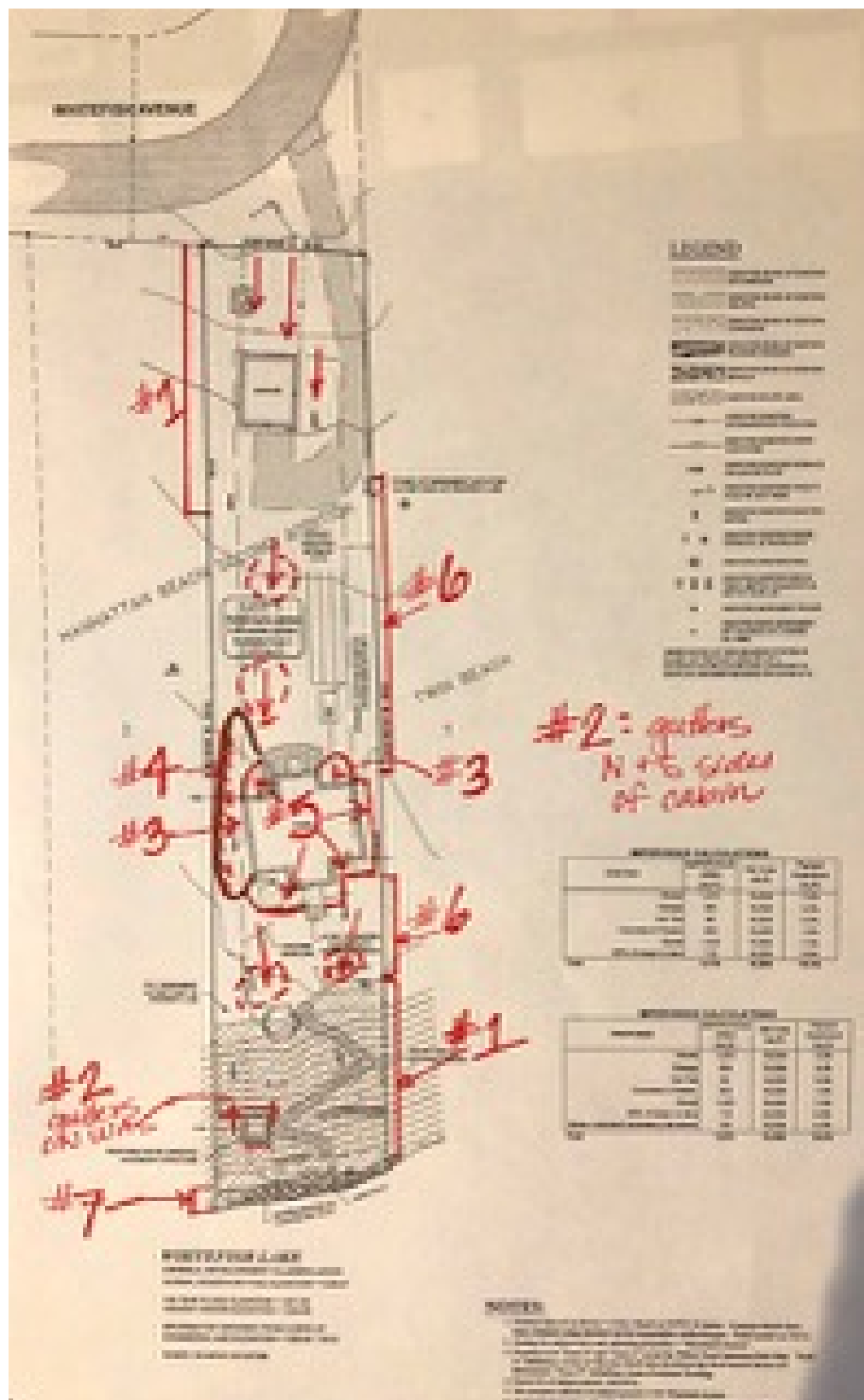
## BMP: Natural Lakeshore Ridge

Our lake shore is covered with large rock and sand brought in by a previous owner. Each summer a variety of natural weeds and vegetation take root in the sand and rock creating a natural vegetative berm at the waters edge. Unlike many lake property owners, we leave this vegetative berm natural, we do not weed this area.

## Stormwater Worksheet

Stormwater worksheet indicates the need for: 321 cubic feet of storage volume.

Current storage capacity is: 402 cubic feet of storage volume.



## *Cut and Fill Calculations*

We will be making 4, 6 inch by 42 inch depth holes to support the base of the water accessory structure.

To calculate the cubic displacement we use the formula for the volume of a cylinder:

Radius x Radius x Height x Pi:

For a 6" hole, the radius is 3"

$$3 \times 3 = 9$$

$$9 \times 42 = 378$$

$$378 \times \pi (3.141549) = 1,187.52$$

$$1,187.52 \times 4 = 4,750.08 \text{ cubic inches}$$

There are 46,656 cubic inches in 1 cubic yard

Therefore,  $4,750.08 / 46,656 = .1018107$  cubic yards of dirt displacement which we will transport to our yard and use for garden beds.



**From:** DeNyce Steadland dsteadland@yahoo.com  
**Subject:** Water Accessory Structure  
**Date:** October 25, 2020 at 2:07 PM  
**To:** Deb Seyfert seyfertfamily@gmail.com



Dear Deb & Todd,

Keith and I are writing to you to confirm that we are supportive in your adventure to build a water accessory structure on your property next door to us.

Please feel free to share our support for you with our Crosslake officials.

If anyone would like to contact us directly they can do so by utilizing my cell 651-428-2327 or email dsteadland@yahoo.com.

Stay Safe

DeNyce & Keith Steadland

**From:** Anne OBrien annemarieobrien@msn.com  
**Subject:** Waterfront Accessory Building  
**Date:** October 25, 2020 at 1:55 PM  
**To:** seyfertfamily@gmail.com

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This is to advise you that I have no objections to the waterfront accessory building being proposed by Todd and Deb Seyfert. I am confident that it will be done correctly and in compliance with all city rules and regulations.

Sincerely,

Anne O'Brien  
11705 Whitefish Ave. (Summer address)  
Crosslake, MN. 56442

6806 Sherwood Road (Winter address)  
Woodbury, MN. 55125

**From:** jane Hurinenko hurinenko6@msn.com  
**Subject:** Seyfert Structure  
**Date:** October 27, 2020 at 6:00 PM  
**To:** seyfertfamily@gmail.com



To whom it may concern,

Our names are Jane and Jeff Hurinenko and we live at 11737 Whitefish Ave which is next door to Deb and Todd Seyfert. We wanted to let you know that we are aware that they are hoping to build a water accessory shed. We have seen the plans and wanted to let you know that we have no problems with this and are lending our support to the project.

Thank you,  
Jane and Jeff Hurinenko  
hurinenko6@msn.com  
My cell (Jane) is 612-749-0786 if you have any questions.



**From:** Katie Shillock katieshillock@gmail.com  
**Subject:** Water Accessory Structure  
**Date:** October 28, 2020 at 11:16 AM  
**To:** seyfertfamily@gmail.com

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Hello,

I understand my neighbors (the Seiferts) are planning to put in a water accessory structure. I have seen the plans for it and I think it looks lovely. I have no problem with their plans to build this structure on their property.

Katie Shillock  
11769 Whitefish Avenue  
Crosslake MN.

952 412 8983



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: 475983

Permit Number: 2010220V

Property Owner(s): TODD W. SEYFERT TRUST DATED 5/29/07

Mailing Address: 18401 166TH PLACE N  
Maple Grove, 55311

Site Address: 11729 Whitefish Ave.

Phone Number: 763-242-6503 (dub cell)

E-Mail Address: SEYFERTFAMILY@gmail.com

Parcel Number(s): LOT 1, block 27  
Manhattan Beach 2nd Addn

Legal Description: 14010742

Sec 1 Twp 137 Rge 26 ☐ 27 ☐ 28 ☒

Lake/River Name: Tower Whitefish

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) [Signature]

Date 10/24/20

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" \$500.00 + \$6.00 Permit + Copies
- 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 C.S. Date 11-6-2020 Land Use District SD

Lake Class GD Septic: Compliance 8-26-19 SSTS Design N/A Installation N/A

Variances	
(Check applicable requests)	
<input type="checkbox"/>	Lake/River Setback
<input type="checkbox"/>	Road Right-of-Way Setback
<input checked="" 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 type="checkbox"/>	_____
<input type="checkbox"/>	_____

## **Practical Difficulty Statement Seyfert: 11729 Whitefish Ave**

**1. Is the variance request in harmony with the purposed and intent of the Ordinance?**

Defer to the Planning Commission/Board of Adjustment

**2. Is the variance consistent with the Comprehensive Plan?**

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, our 1930's cabin overlooks Lower Whitefish Lake from atop a high bluff. We are proposing the addition of a water accessory structure at the bottom of the bluff for storage. It is a reasonable request to have storage for "water related items" down by the water. Though bringing those items up and down the stairs for 12 years has kept us in shape we are tiring of that regimen. We can't reasonably place the structure anywhere else due to the bluff.

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

Yes, the issuance of a variance will maintain the essential character of the locality as a majority of cabins along our shoreline already have a water accessory structure in a similar location. Ours is one of few cabins that does not have any sort of storage by the lake.

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

Yes, the need for the variance is due to the circumstances unique to the property, namely the bluff that prevents placement of a water accessory structure elsewhere.

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

Yes, the variance is needed due to the difficulties that the bluff imposes and desire to prevent any erosion of the bluff.





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: