

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

May 27, 2022

9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: Dale Lange Trust

Authorized Agent: N/A

Site Location: 16402 Bay Shores Road, Crosslake, MN 56442 on Little Pine-GD

Variance for:

- Road right-of-way (ROW) setback of 12.5 feet where 35 feet is required to proposed detached garage
- Road right-of-way setback of 6.5 feet where 35 feet is required to proposed patio

To construct:

- 780 square foot detached garage
- 216 square foot patio

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: Dale Lange Trust

Parcel Number(s): 14020525

Application Submitted: April 8, 2022

Action Deadline: June 6, 2022

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

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Current Zoning: Shoreland District

Existing Impervious Coverage:

10.67%

Proposed Impervious Coverage:

16.97%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 3-10-2021; system will need to be abandoned
- A septic design will need to be submitted and approved; the old system is too close to the proposed garage and a variance is not being applied for

Development Review Team Minutes held on 2-8-2022:

- Property is located on Little Pine Lake at 16402 Bay Shores Road with a lake setback of 75 feet
- The proposed garage to be approximately 0 feet from the road ROW
- There is adequate room in the building envelope with the moving of the septic, but there is a slope
- Gansen stated it is illegal to allow an addition to a structure that is not on your property; it is encroaching the road ROW; suggested cutting of the encroachment area or possible tear down
- Discussion on building a detached garage that would require a road ROW setback variance; current and new septic; owner is a licensed septic professional

- 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 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) or 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 and a compliant septic compliance inspection is on file dated 3-10-21
- Wetland Delineation is a requirement for a variance or a no wetland statement/letter; a wetland delineation winter window agreement (WWA) form is available if needed
- 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, fee and the requirements/need for a complete application packet by 4:30 PM of the deadline date; payment policy; notification methods; variances are limited to 2 years with substantial completion
- 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 or WWA
4. A septic design if project requires; compliance is on file
5. A complete Variance application with the \$500.00 public hearing fee

Parcel History:

- Bay Shores established in 1973
- May 1982 – Garage 24'x24'
- June 1986 – Septic; deck 12'x16'
- August 1993 – Storage shed 10'x12'
- April 2001 – Addition to cabin: 24'x24' main floor; 24'x24' basement walkout; 10'x24' porch
- May 2021 – Shoreland/Land Alteration for patio, walkway and dirt
- March 10, 2021 – Compliant septic compliance inspection

Agencies Notified and Responses Received:

County Highway Dept: N/A

DNR: No comment received before packet cutoff date

City Engineer: N/A

Lake Association: No comment received before packet cutoff date

Crosslake Public Works: No comment received before packet cutoff date

Crosslake Park, Recreation & Library: N/A

Concerned Parties: No comment received before packet cutoff date

POSSIBLE MOTION:

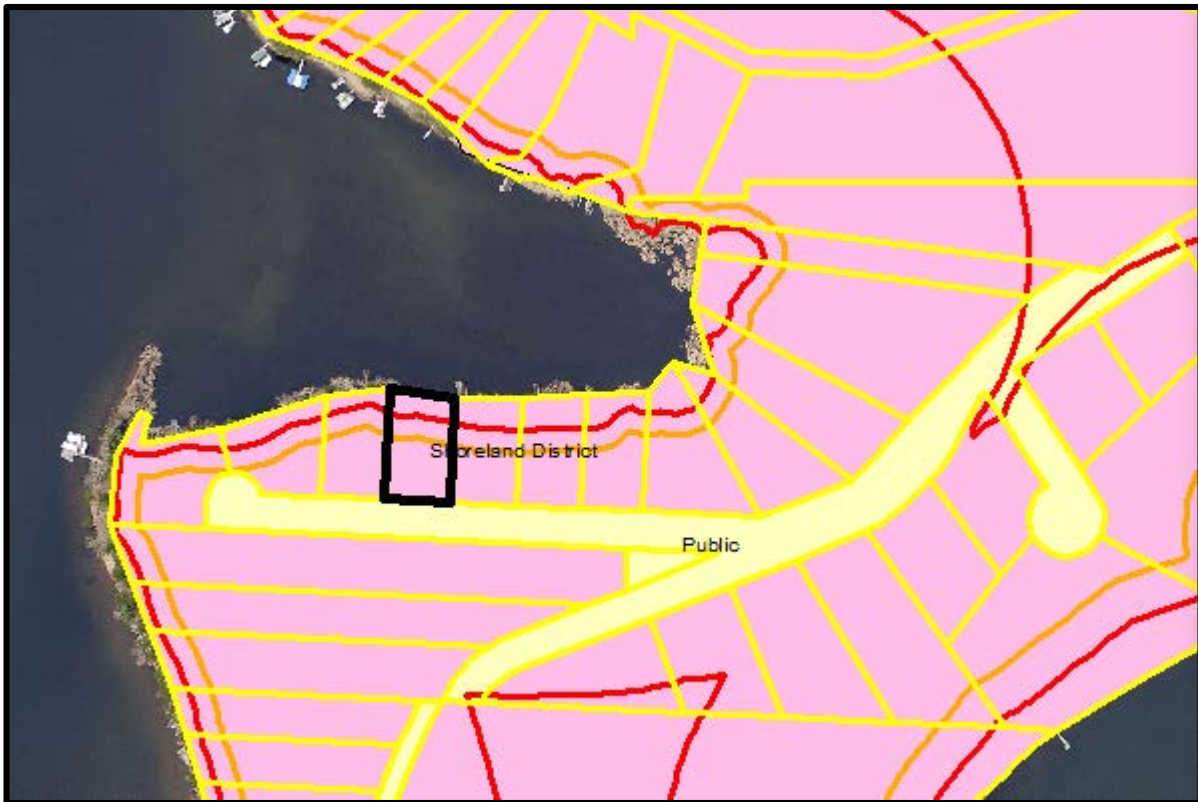
To approve/table/deny the variance to allow:

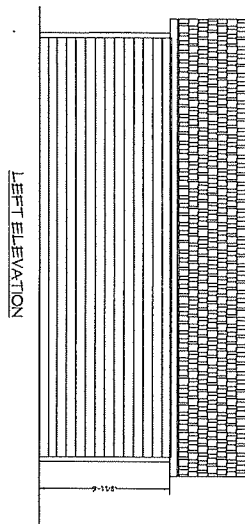
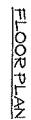
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To construct:

- 780 square foot detached garage
- 216 square foot patio

As shown on the certificate of survey dated 2-25-2022



RIGHT ELEVATION

FOUNDATION PLAN



Existing House:

- 4 bedrooms
- No daycare or business use
- No garbage-grinding appliances
- Sewage lift pump in basement

Septic Tank:

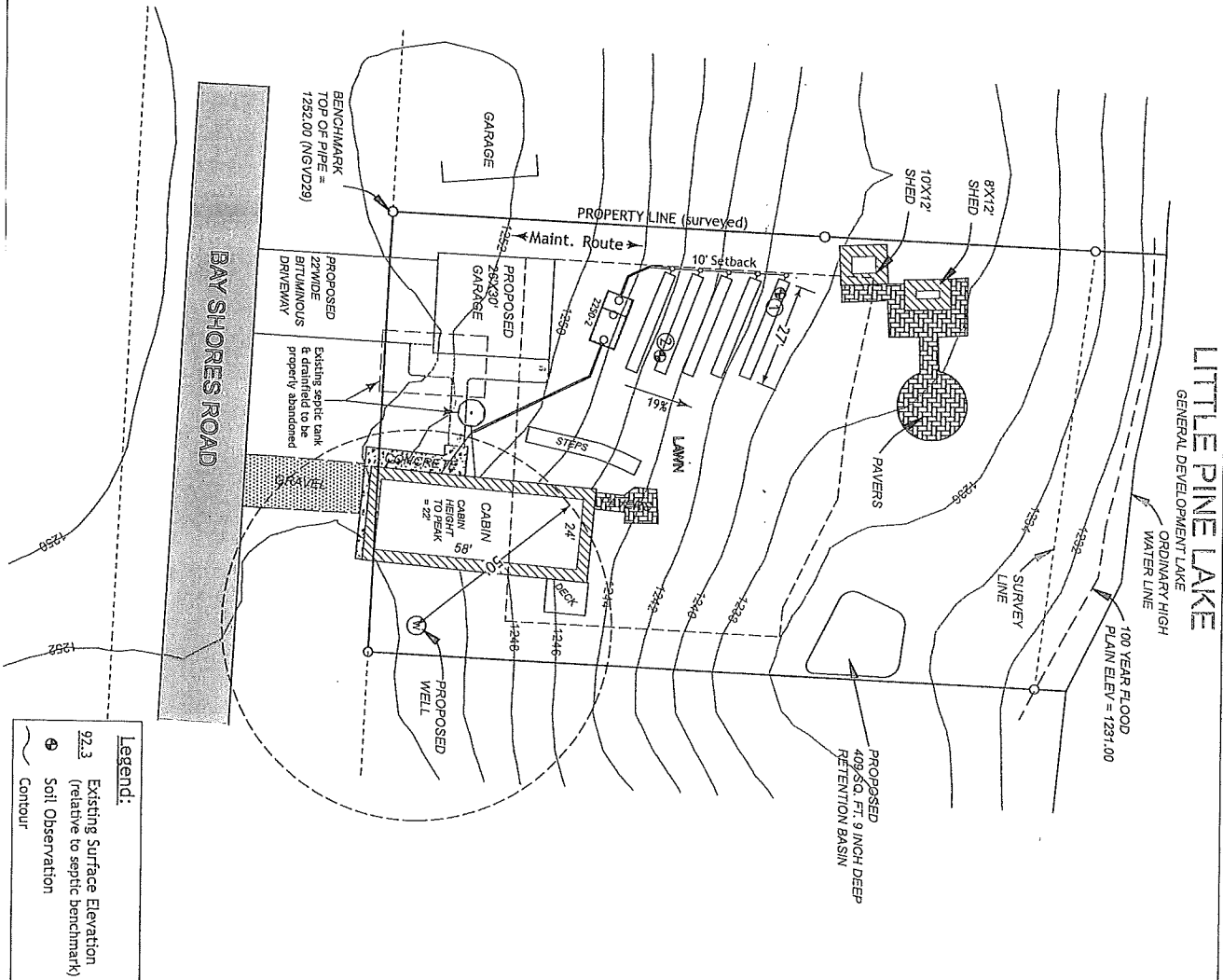
2250 gallons in 2 tanks or compartments

Add'l Tank Requirements:

- 10' minimum from buildings;
- 10' minimum from property lines;
- 50' minimum from any well;
- 10' minimum from any water line;
- Tank(s) may be relocated as necessary;
- Extend all maint. holes to finished grade;
- Maint. hole covers & all tanks with less than 24" of soil cover must be insulated to an R-value of at least 10 using durable, water-resistant insulation;
- Tank bury depth cannot exceed MPCA registration.

Soil Treatment Area:

- 600 GPD x .83 SSF = 500 sq. ft. min. req'd
- 20% reduction using 12" rock below the 4" dist. pipes
- As designed, (5) 3x27' trenches
- =405 sq. ft. trench bottom area
- Equivalent to 506.25 sq. ft. with credit for extra rock
- Serial distribution using (5) drop boxes as shown
- Install secure 4" inspection pipes on all drop boxes & trench ends
- Divert surface water away from system.



Project:	Dale Lange Trust		
Location:	16402 Bay Shores Rd, Crosslake MN		
Drawn Date:	04.07.2022	Rev. Date:	
Job #:	8712		

0 10' 20' 30'

W
N
S
E

T. J. Watab

Watab (320) 363-1300
www.watab.net

Certified & Licensed Designer, MPCA Lic. 2116

Certified Statement: This project has been completed in accordance with all applicable State and local rules, and is subject to review and approval by the appropriate authority. Client is responsible for reviewing all work prior to submittal for permitting or construction. No warranty is made or implied as to the use, applicability, longevity, or continued compliance of this project. This sketch is not a survey, and is not intended to be used as one. This sketch is a compilation of records, information, and data from various sources, and is to be used for reference purposes only.



Variance Application

Planning and Zoning Department

13888 Daggett Bay Road, Crosslake, MN 56442

218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

Receipt Number:

969952

\$500.00

Permit Number:

220034V

Property Owner(s): Dale Lange Trust

Mailing Address: 20578 317th Street Aron MN 56310

Site Address: 16402 Bayshore Road Crosslake MN 56448

Phone Number: 320-250-4918

E-Mail Address: digger.dale@hotmail.com

Parcel Number(s): 14020525

Legal Description: Lot 4 Block 1 Bayshore's Plat

Sec 2 Twp 137 Rge 26 27 N 28

Lake/River Name: Little Pine

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

If yes list Parcel Number(s) NA

Authorized Agent: NA

Agent Address: NA

Agent Phone Number: NA

Variances

(Check applicable requests)

☐ Lake/River Setback

☒ Road Right-of-Way Setback
12.5' where 35' is required

☐ 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: 4-8-22

Signature of Authorized Agent(s): NA

Date: 4-8-22

- 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 PA Date 4/8/22

Land Use District SD

Lake Class GD Septic: Compliance 3/16/21 SSTS Design Empty 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 property is a lake lot By pushing the Garage Back
to meet set Backs will use the Alternate Septic site
the current Septic system is 35 years old would like to update
system soon

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

Yes ☒ No ☐

Why: By Building this Garage closer to Road RW it would
be in line with the neighbors Garage to maintain the
essential character of 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: By meeting set Backs from RW it would make it so you
could not update Septic system

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

Yes ☒ No ☐

Why: so we can maintain a compliant Septic system from all
the wells



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: