

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: The Ulring Family Real Estate Trust

Authorized Agent: Dale Hathaway

Site Location: 35256 Riverwood Trail, Crosslake, MN 56442 on the Pine River-GD

Variance for:

- River setback of 65 feet where 100 feet is required to proposed dwelling addition
- River setback of 0 feet where 20 feet is required to existing water-oriented accessory structure
- Second water-oriented accessory structure (WOAS)

To construct and allow:

- A footprint of 1,620 square foot addition consisting of a dwelling addition, porch, and attached garage
- A second existing WOAS at 49 square feet– firepit sitting area

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: The Ulring Family Real Estate Trust

Parcel Number(s): 14210709

Application Submitted: April 7, 2022

Action Deadline: June 5, 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: Dale Hathaway

Variance for:

- River setback of 65 feet where 100 feet is required to proposed dwelling addition
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Current Zoning: Shoreland District

Existing Impervious Coverage:

7.4%

- A stormwater management plan was submitted with the variance application
- City sewer connection

Proposed Impervious Coverage:

11.2%

Development Review Team Minutes held on 3-9-2022:

- Property is located on the Pine River at 35256 Riverwood Trail with a river setback of 100 feet
- The proposed addition to be approximately 60 feet from the OHW of Pine River
- May need a supplemental data form to verify elevation is being met for the Pine River
- The dwelling is totally within the river setback and there are no locations that would meet the setback if doing an addition to the dwelling structure
- 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
- Structure is hooked up to the municipal sewer system
- Wetland Delineation is noted on the 10.15.2018 certificate of survey
- 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 shown and noted on the survey or a no wetland statement/letter
4. A complete Variance application with the \$500.00 public hearing fee

Parcel History:

- Gendreau's Lots established in 1955
- May 1991 – 16' x 20' Garage
- June 2014 – 28' x 28' Accessory Structure
- October 2018 – Lot line consolidation of 4 parcels into 1
- November 2018 – ATF Variance for the road ROW setback of 25.95 where 35 is required
- November 2018 – Variance for the road ROW setback of 28.19 where 35 is required
- Municipal sewer system

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 cutoff date

POSSIBLE MOTION:

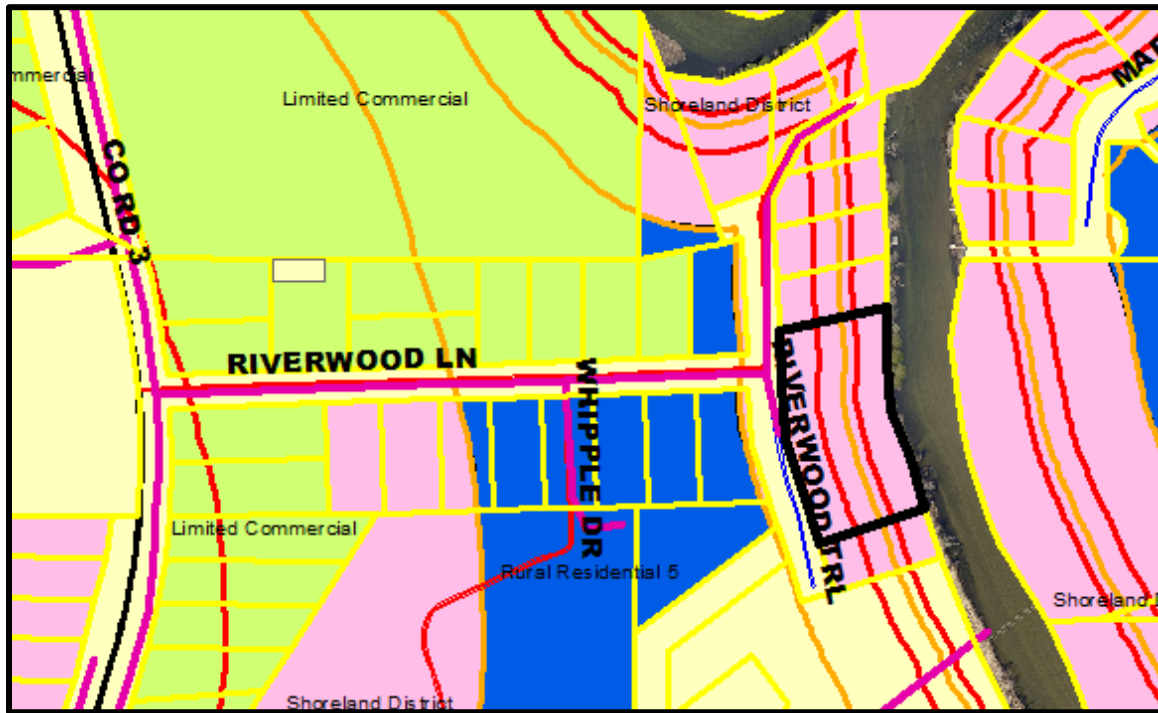
To approve/table/deny the variance to allow:

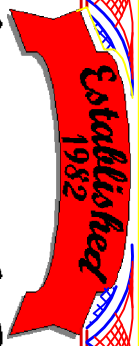
- River setback of 65 feet where 100 feet is required to proposed dwelling addition
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- Second water-oriented accessory structure (WOAS)

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- A footprint of 1,620 square foot addition consisting of a dwelling addition, porch, and attached garage
- A second existing WOAS at 49 square feet– firepit sitting area

As shown on the certificate of survey dated May 4-1-2022



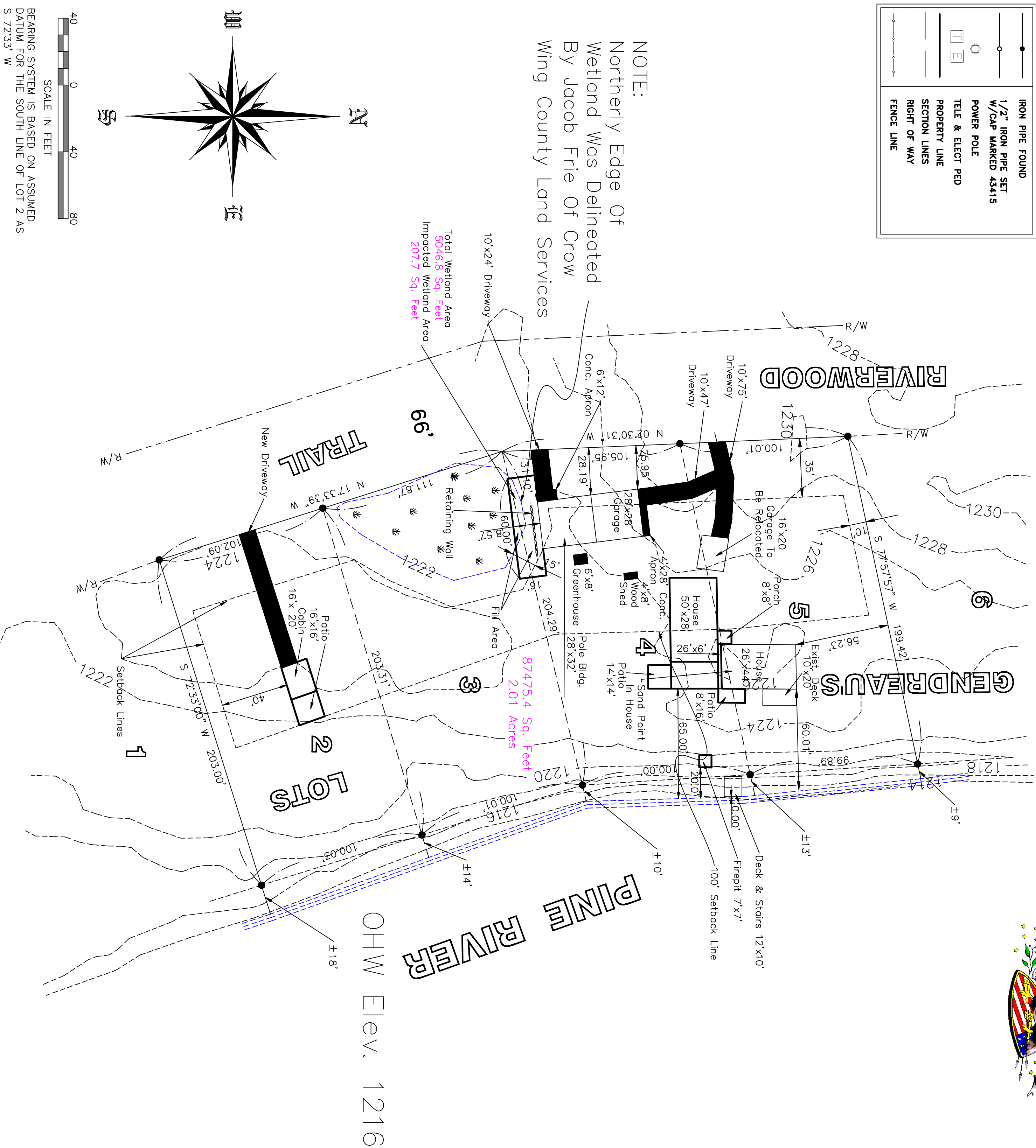


Certificate of Survey



Legend	
	IRON PIPE FOUND
	1/2" IRON PIPE SET W/CAP MARKED 43415
	POWER POLE
	TELE & ELECT PED
	PROPERTY LINES
	SECTION LINES
	RIGHT OF WAY
	FENCE LINE

NOTE:
Northerly Edge Of
Wetland Was Delineated
By Jacob Frie Of Crow
Wing County Land Services



40 0 40 80
SCALE IN FEET
BEARING SYSTEM IS BASED ON ASSUMED
DATUM FOR THE SOUTH LINE OF LOT 2 AS
S 72°33' W

DESCRIPTION:

Lots 2,3,4, and 5 of GENDREAU'S LOTS , on file and of record in the office of the
Recorder, Crow Wing County, Minnesota.
Zoning Classification: General Development Protection Zone.

ELEVATIONS	
Pine River OHW Elev.	1216.0
Existing Home Main Floor Elev.	1228.1
Existing Home Basement Floor Elev.	1220.1
Proposed Addition Main Floor Elev.	1228.1
Proposed Addition Garage Floor Elev.	1227.1

BUILDING HEIGHTS ARE: House 16'
Small Garage 11'
Garage Shop 22'

LOT IMPERVIOUS SURFACE AREA CALCULATION			
Existing Structures	Length (ft.)	Width (ft.)	Area (sq. ft.)
House	44	26	1,144
Wood Shop	30	28	840
Cold Storage Pole Building	32	28	896
Small Garage	20	16	320
Green House	8	6	48
Wood Shed	8	4	32
		Subtotal	3,280
Driveways & Landscaping			
Main Driveway	75	10	750
Shop Driveway	47	12	564
Cold Storage Driveway	35	12	420
South Access Driveway	40	10	400
House Sidewalk	66	3	198
Shop Sidewalk	28	3	84
Cold Storage Sidewalk	22	3	66
Fire Pit	7	7	49
Deck & Stairs by River	10	12	120
South House Deck	20	16	320
East House Deck	20	10	200
		Subtotal	3,171
		Total Existing Impervious	6,451
Proposed Structures			
	Length (ft.)	Width (ft.)	Area (sq. ft.)
House Addition - Area 1	22	28	616
House Addition - Area 2	6	26	156
Porch	8	8	64
Garage	28	28	784
		Subtotal	1,620
Proposed Driveways & Landscaping			
House Entrance Sidewalk	16	4	64
Walkways	100	3	300
House Patio (east side)	16	8	128
House Patio (south side)	14	14	196
Cabin Patio	16	16	256
Additional Driveway - House	28	20	560
Additional Driveway - Cabin	70	10	700
Removed South House Deck	20	16	-320
Removed House Sidewalk	66	3	-198
		Subtotal	1,685
		Total Proposed New Impervious	3,306
		Total New Impervious	9,757
Total Lot Area = 87,475 sq. ft.		Total Existing Impervious	6,451
		Total New Impervious	9,757
		Total Existing Impervious	7.4%
		% New Impervious	11.2%

NO.	REVISION DESCRIPTION	DATE	BY
1	Revised Impervious Surface	4/7/22	RLC

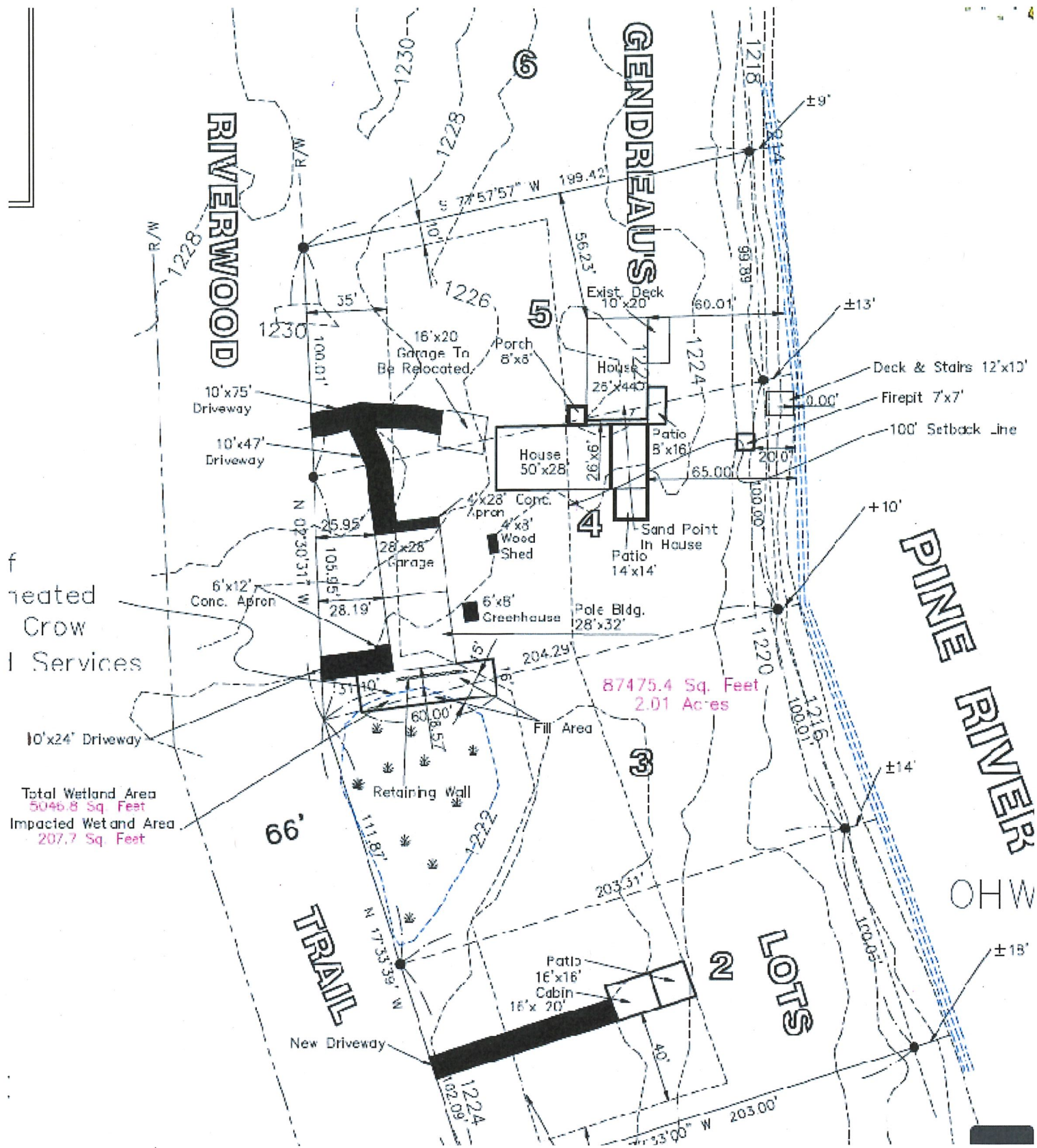
Note: Official Copies Of This Map Are Crimp Sealed
I hereby certify that this plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.
Signed: Ronald L. Cornett
Date: 9/10/18 License No. 43415

DATE	FORMED BY	CHECKED BY
10/15/18	RLC	RLC

Benson & Associates L.L.C.
P.O. Box 64
Park Rapids, MN 56470
218-732-3323

CARROLL LAND SURVEYING L.L.C.
11432 320th St., Park Rapids, MN 56470
218-252-3675
Project 2018-023

JOEL WILLIAMS
3356 Riverwood Trail
Crookston, MN. 56442



f
reated
Crow
I Services

Total Wetland Area
5046.8 Sq. Feet
Impacted Wetland Area
207.7 Sq. Feet

87475.4 Sq. Feet
2.01 Acres

PINE RIVER
OHW

Joel & Diana Uring – 35256 Riverwood Trail, Crosslake



Looking west – red line shows footprint of addition.

Joel & Diana Uring – 35256 Riverwood Trail, Crosslake



Looking NE – red line shows footprint of addition (28' x 50').

Joel & Diana Uring – 35256 Riverwood Trail, Crosslake



Looking SW – redline shows footprint of addition.



Looking SE – red line shows footprint of addition.

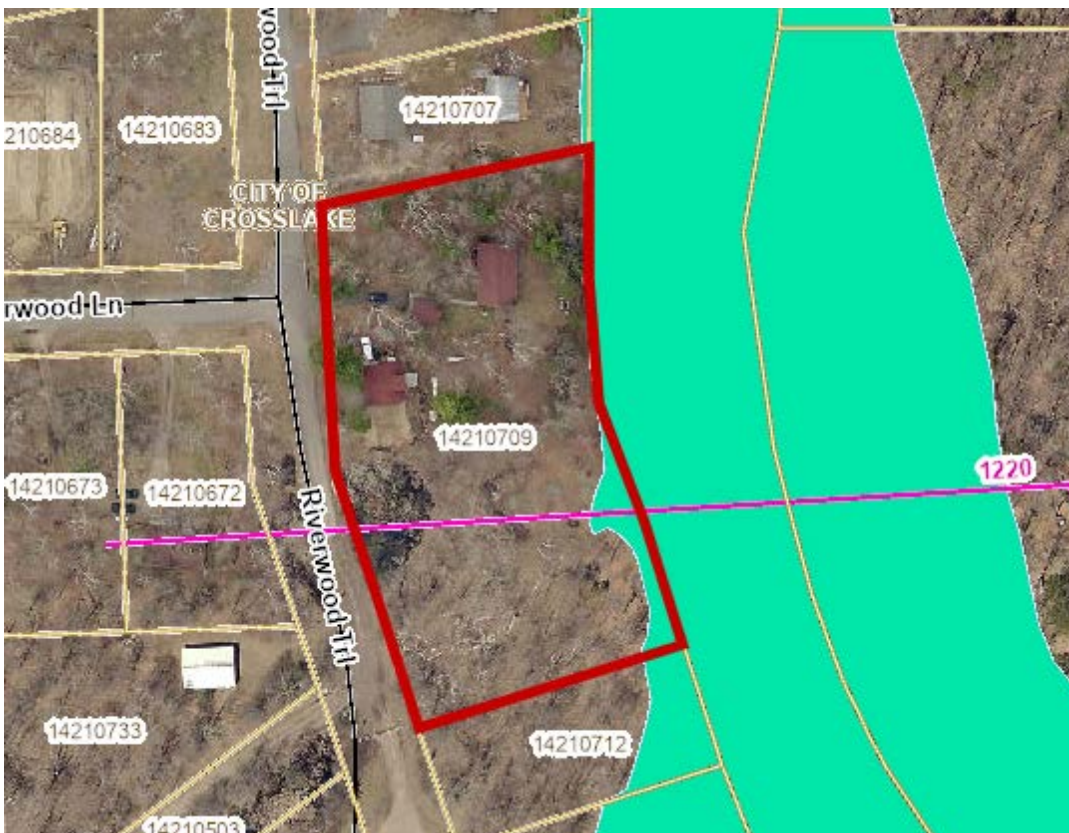
From: [McNeil, Danielle \(DNR\)](#)
To: [Cheryl](#)
Subject: RE: Pine River
Date: Thursday, April 7, 2022 3:35:59 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Cheryl,

Thank you! I always enjoyed the working relationship with you and Jon, and will definitely miss those types of connections. It was a tough decision to make the move to Parks & Trails, but I'm looking forward to the new opportunity as well.

We do have modeled data for this portion of the river. We have a new online application called the [Lake Flood Elevation Online](#) tool that can be used to view flood elevations for lakes and other basins, but which also includes portions of some rivers. It's a pretty handy tool for finding lake elevation data if it's available. The "pink lines" on the map correspond to the 1% flood elevation (aka BFE) for rivers. Crow Wing County recently added these "pink lines" to their interactive GIS mapper as well.

There's a pink line that runs right through parcel 14210709 (see image below). The 1% flood elevation/BFE is listed in pink as well and is 1220.0 ft (NAVD 88 datum). That would be the most accurate elevation to use as the BFE.



Hope that helps!
Dani

Dani McNeil

Hydrologist | Ecological & Water Resources Division

Minnesota Department of Natural Resources

1601 Minnesota Drive

Brainerd, MN, 56401

218-203-4367*

Danielle.McNeil@state.mn.us

* Please note: DNR staff are currently working from home and may return your call from an alternative number.
Contact via email is strongly encouraged at this time.

mndnr.gov



From: Cheryl <cstuckmayer@crosslake.net>
Sent: Thursday, April 7, 2022 1:20 PM
To: McNeil, Danielle (DNR) <danielle.mcneil@state.mn.us>
Subject: Pine River

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good afternoon,

First I want to say that it has been very nice working with you. I am super sorry to hear you are moving on, but happy for you all the same. You will be missed

Second, I am looking for the Ordinary High Water Elevation or Base Flood Elevation of the Pine River south of the Crosslake Dam. We are doing a variance for parcel 14210709 and I wanted to check to see what the Regulatory Flood Protection Elevation is. I did go on the DNR Lake Finder and it said 1219 ft elevation = that the OHWE or BFE or maybe I got it all wrong.

Thank you for any help you can provide.

Respectfully,

Cheryl Stuckmayer
Planner – Zoning Coordinator

Crosslake Planning and Zoning Department
13888 Daggett Bay Rd
Crosslake, MN 56442

Office: (218) 692-2689
Fax: (218) 692-2687
Email: crosslakepz@crosslake.net
Website: www.cityofcrosslake.org

Excellent customer service is our top priority. Please let me know if I was helpful!

This e-mail and any attachment is intended to be read only by the intended recipient. This e-mail may be legally privileged or protected from disclosure by law. If you are not the intended recipient, any dissemination of this e-mail or any attachments is strictly prohibited, and you should refrain from reading this e-mail or examining any attachments. If you received this e-mail in error, please notify the sender immediately and delete this e-mail and any attachments. Thank you.

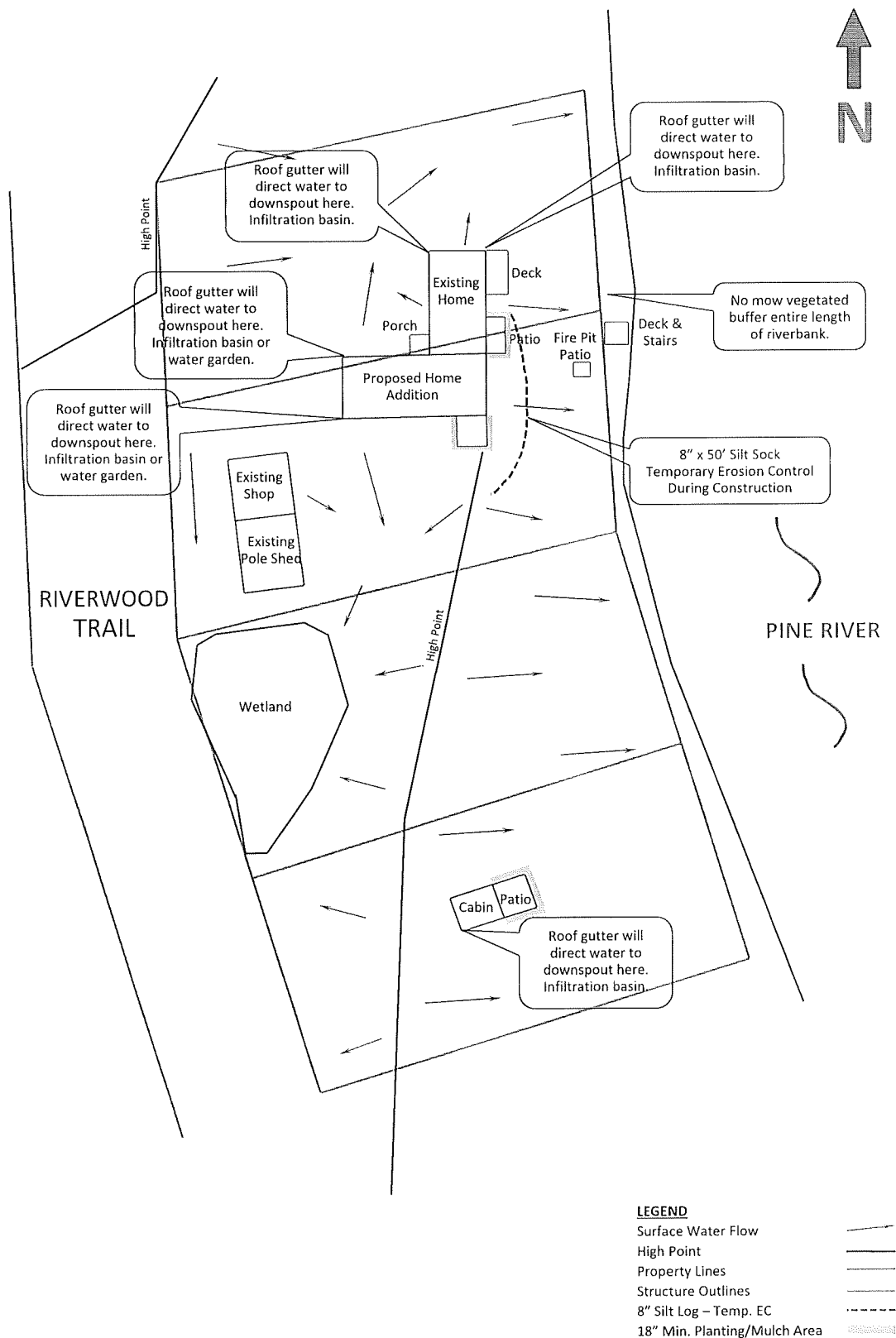
Variance Application Requests

1. Build new home addition within 100' shoreland setback area.
2. Additional deck/patio area of 168 SF
 - o Within 50' of shoreline allowed 125 SF of impervious
Have a 120 SF deck
 - o Within 100' allowed 400 SF of impervious

Existing house deck (10' x 20')	200 SF
Existing fire pit (7' x 7')	49 SF
Proposed east house patio (8' x 16')	128 SF
Proposed south house patio (14' x 14')	<u>196 SF</u>
Total	568 SF
- Excess 168 SF (568 SF – 400 SF)
3. Additional auxiliary building (700 SF)

STORWATER MANAGEMENT PLAN

35256 Riverwood Trail, Crosslake, MN



The Ulring Family Real Estate Trust
 35256 Riverwood Trail
 Crosslake, MN 56442

Proposed home addition:

Estimated Excavation Required

None

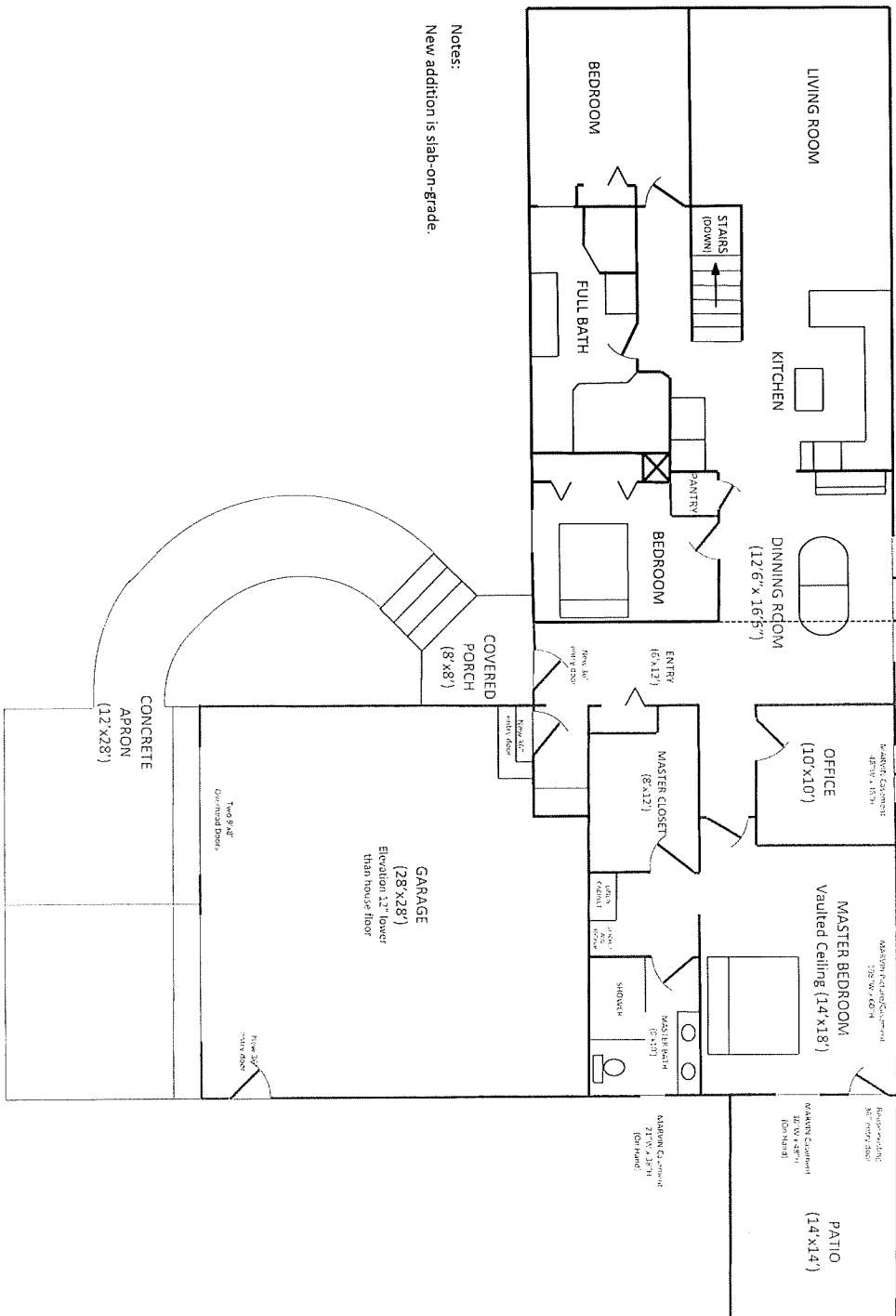
Estimated Fill Required

House and garage addition footprint = 160 cubic yards
 East side sloped backfill = 85 cubic yards
 South side patio and sloped backfill = 90 cubic yards
 Driveway = 15 cubic yards
Total = 350 cubic yards

		Existing Ground Elev. = 1226.0 (1.8' Fill)	Additional Living Area (6' x 26') FF Elev. = 1228.1 Fill Elev. = 1227.8	Existing Ground Elev. = 1225.0 (2.8' Fill)
Existing Ground Elev. = 1226.0 (0.8' Fill)	Existing Ground Elev. = 1225.5 (1.3' Fill)	Existing Ground Elev. = 1225.5 (2.3' Fill)		
Garage (28' x 28') FF Elev. = 1227.1 Fill Elev. = 1226.8		Additional Living Area (22' x 28') FF Elev. = 1228.1 Fill Elev. = 1227.8		
Existing Ground Elev. = 1223.7 (3.1' Fill)	Existing Ground Elev. = 1223.2 (3.6' Fill)	Existing Ground Elev. = 1223.2 (4.6' Fill)	Existing Ground Elev. = 1223.2 (4.6' Fill)	

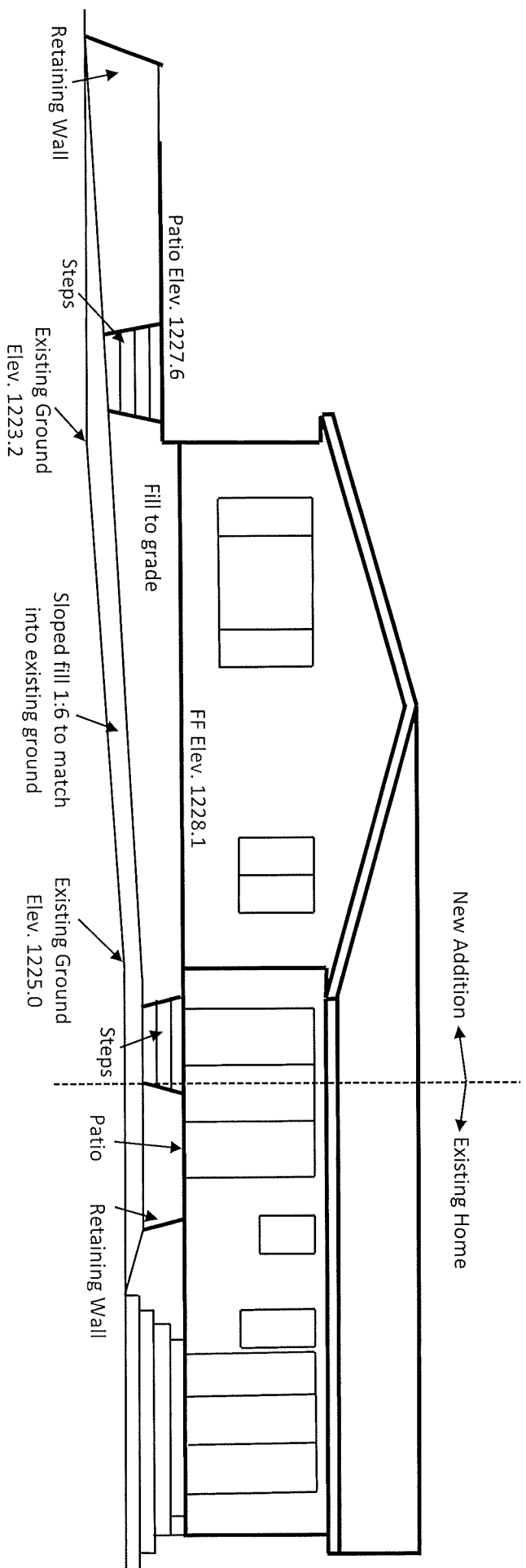
Master's Suite
12'0" x 16'7"

CROSSLAKE HOME ADDITION

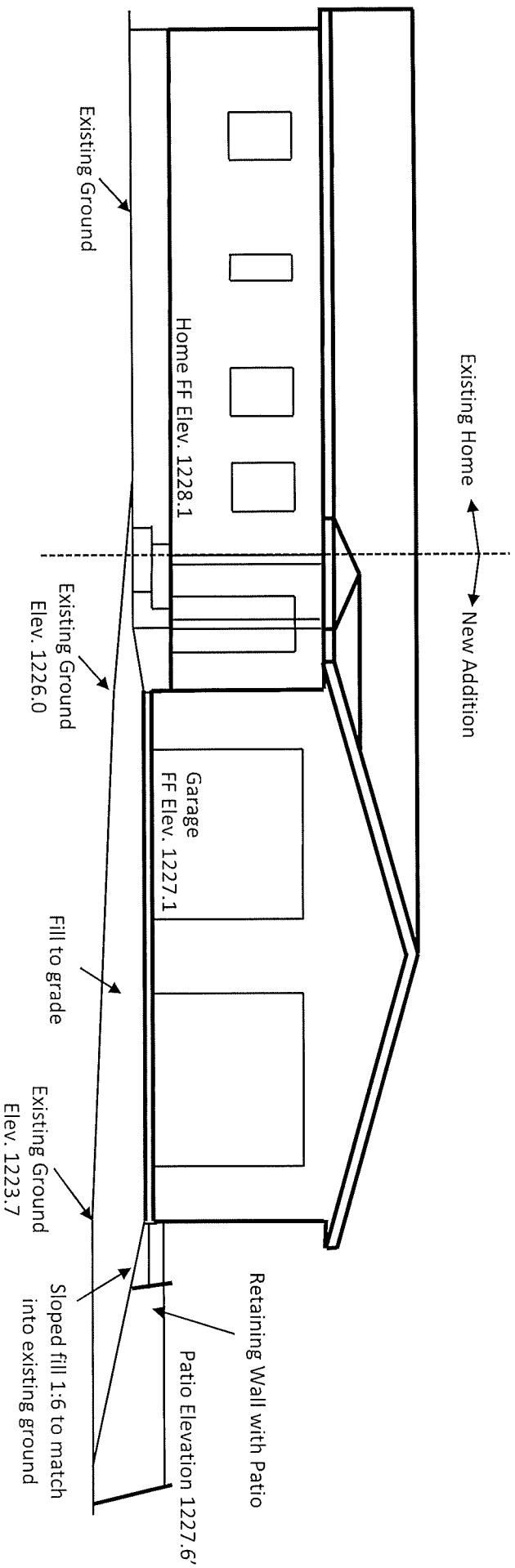


Notes:
New addition is slab-on-grade.

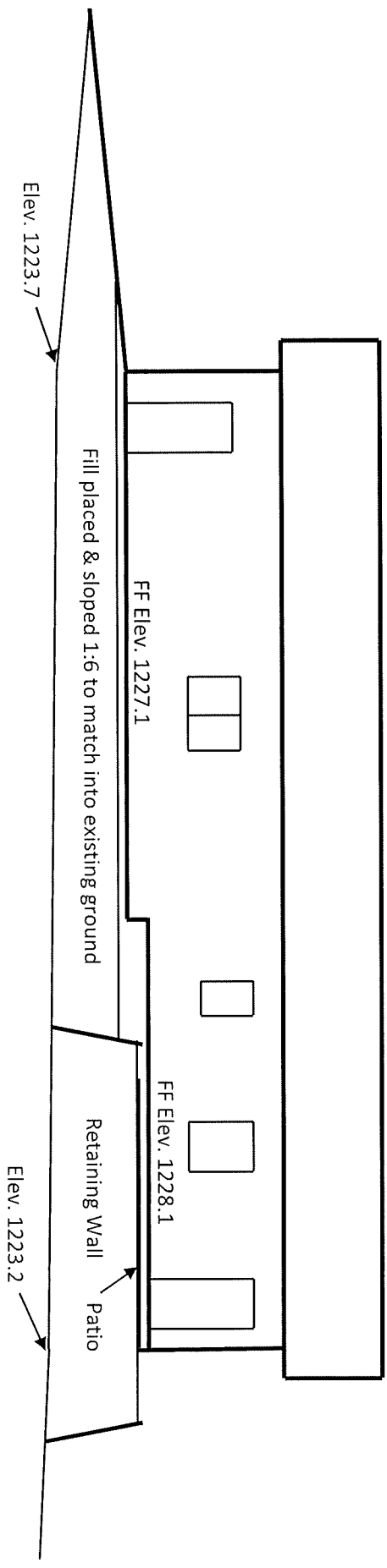
East Profile



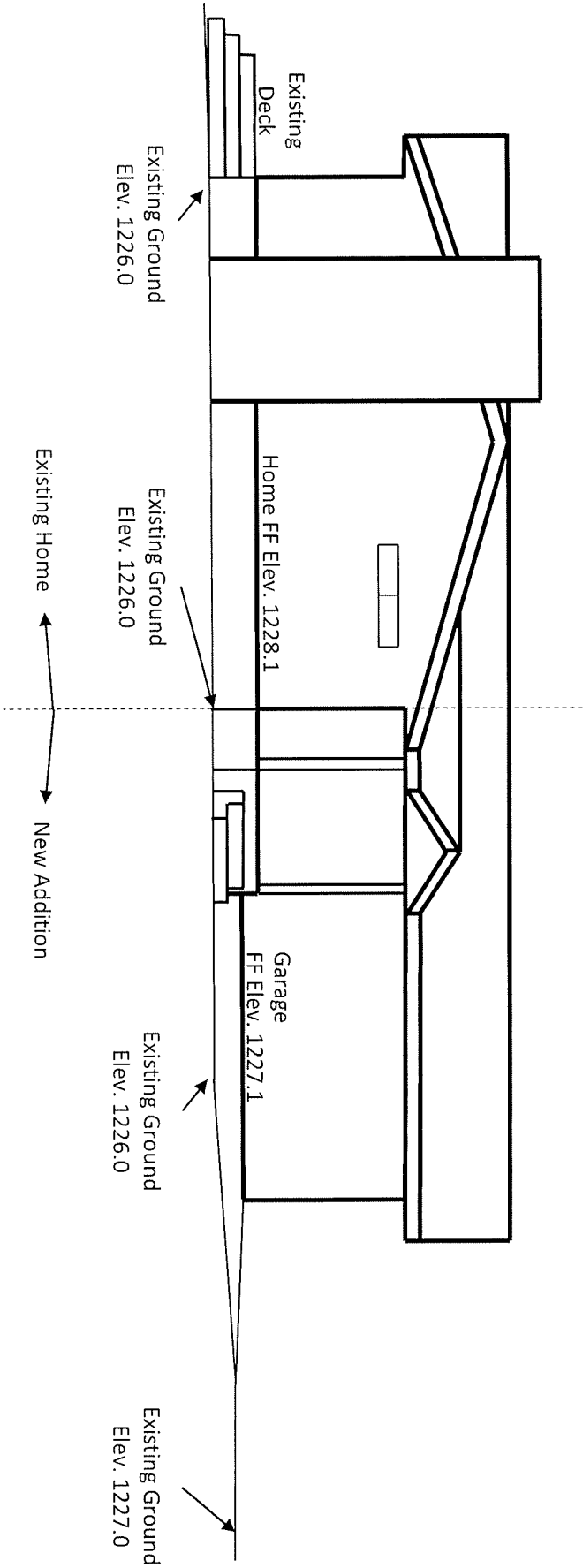
West Profile



South Profile



North Profile



Landowner / Parcel #: Joel Ulring, 35256 Riverwod Trail

Date: April 5, 2022

Lot Impervious Surface Coverage & Landscaping for Stormwater Worksheet

Please use the table below to calculate your impervious surface coverage. Impervious coverage is limited to 25% of the total lot area. Calculate out all that apply to your situation. If a structure has odd dimensions or if using too size stormwater basins, multiple rows / sheets may be needed. If total imp. of irregular structure or driveway is known, just multiply by 1.

<u>Existing Structures</u>	<u>Length (ft)</u>		<u>Width (ft)</u>		<u>Total (in sq. feet)</u>
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	1 (ft)	X	3,280 (ft)	=	3,280 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<i>Driveways* & Landscaping:</i>					
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones, Landscaping (incl. plastic), Other	1 (ft)	X	3,171 (ft)	=	3,171 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<i>Total Existing Impervious</i>					6,451 (sq ft)
<u>Proposed Structures</u>					
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	1 (ft)	X	1,620 (ft)	=	1,620 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<i>Driveways* & Landscaping:</i> <i>*Assumes a 12' wide driveway unless evidence to the contrary</i>					
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones, Landscaping (incl. plastic), Other	1 (ft)	X	1,686 (ft)	=	1,686 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
	(ft)	X	(ft)	=	0 (sq ft)
<i>Total Proposed Impervious</i>					3,306 (sq ft)
Total Lot Area (sq. ft.) = 87,475	Total existing Impervious			=	6,451 (sq ft)
	Total w/new Impervious			=	9,757 (sq ft)
	% existing impervious			=	7.4 %
	% w/new impervious			=	11.2 %

Simple Calculator for Approximating Size of Stormwater Practice & Amount of Phosphorus Reduction:

Total w/ new impervious:			Storage volume:		Bottom size (sq ft) of infiltration area by depth						
			Gal / Cu ft (= gal / 7.48)		3"	6"	9"	12"	15"	18"	
9,757	x	0.623 / 0.083 Gal / Cu ft	=	6,079 Gal	810 Cu ft	3,239 cu ft x 4	1,620 cu ft x 2	1,077 cu ft x 1.33	810 cu ft x 1	648 cu ft x 0.8	543 cu ft x 0.67
Total exst imp	=	6,451	x	0.0000366	=	0.24	Existing phosphorous loading (lbs/yr)				
Tot w/new imp	=	9,757	x	0.0000366	=	0.36	Phosphorous reduction w/ stormwater mgmt				
For rain barrels, use this formula to determine size/amount needed:				Roof area (sq ft)	x	0.5625	=	0	Gallons generated from a 1" rain event		

LOT IMPERVIOUS SURFACE AREA CALCULATION

Existing Structures	Length (ft.)	Width (ft.)	Area (sq. ft.)
House	44	26	1,144
Wood Shop	30	28	840
Cold Storage Pole Building	32	28	896
Small Garage	20	16	320
Green House	8	6	48
Wood Shed	8	4	<u>32</u>
		Subtotal	3,280
Driveways & Landscaping			
Main Driveway	75	10	750
Shop Driveway	47	12	564
Cold Storage Driveway	35	12	420
South Access Driveway	40	10	400
House Sidewalk	66	3	198
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Cold Storage Sidewalk	22	3	66
Fire Pit	7	7	49
Deck & Stairs by River	10	12	120
South House Deck	20	16	320
East House Deck	20	10	<u>200</u>
		Subtotal	<u>3,171</u>
	Total Existing Impervious		6,451
Proposed Structures	Length (ft.)	Width (ft.)	Area (sq. ft.)
House Addition - Area 1	22	28	616
House Addition - Area 2	6	26	156
Porch	8	8	64
Garage	28	28	<u>784</u>
		Subtotal	1,620
Proposed Driveways & Landscaping			
House Entrance Sidewalk	16	4	64
Walkways	100	3	300
House Patio (east side)	16	8	128
House Patio (south side)	14	14	196
Cabin Patio	16	16	256
Additional Driveway - House	28	20	560
Additional Driveway - Cabin	70	10	700
Removed South House Deck	20	16	-320
Removed House Sidewalk	66	3	<u>-198</u>
		Subtotal	<u>1,686</u>
	Total Proposed New Impervious		3,306
	Total New Impervious		9,757
Total Lot Area = 87,475 sq. ft.	Total Existing Impervious		6,451
	Total New Impervious		9,757
	% Existing Impervious		7.4%
	% New Impervious		11.2%

Minnesota Wetland Conservation Act

Notice of Decision

Local Government Unit (LGU) Crow Wing County	Address Land Services Building 322 Laurel St Suite 15 Brainerd, MN 56401
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1. PROJECT INFORMATION

Applicant Name Joel Ulring 35256 Riverwood Trail Crosslake, MN 56442	Project Name Wetland exemption - 400 sq. ft de minimus.	Date of Application 9/11/2018	Application Number 141340000 050009; 141340000 040009; 141340000 030009; 141340000 020009
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<input type="checkbox"/> Wetland Boundary or Type Sequencing	<input type="checkbox"/> No-Loss	<input checked="" type="checkbox"/> Exemption	<input type="checkbox"/>
<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		

Technical Evaluation Panel Findings and Recommendation (if any):

<input type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach):		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: September 20, 2018		
<input type="checkbox"/> Approved Denied	<input checked="" type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/>

LGU Findings and Conclusions (attach additional sheets as necessary):

8420.0420, subpart 8 = De Minimus Exemption

Findings:

The applicant, Joel Ullring, wishes to construct an apx. 28x32' (896 sq. ft) pole building addition attached to the south side of the existing garage on the property located in section 21, Bay Lake Township (multiple PID#s...actual fill to be located on the southern end of PID#: 141340000040009).

A partial wetland delineation of the north side of a wetland basin located apx. 36 feet south of the existing garage was performed by Jake Frie on 7/27/2018. The results of that delineation indicate that the north end of the basin (see site map) consists of a type 7 wetland that transitions gradually to a type 3 wetland further south. The proposed pole building, while itself may not encroach within the wetland, shall have grading (dirt moving) associated with the building construction that will impact wetlands up to 400 sq. ft. Since the property is located within the greater than 80% wetland area within Minnesota within the shoreland district (<1,000 feet from a lake; <300 feet from a river), the proposed project is eligible for the maximum 400 sq. feet de minimus exemption as proposed.

Conclusion:

400 sq. ft. of fill of wetland impacts up to 400 sq. ft. under de minimus is hereby authorized according to Minnesota Rules 8420.0420, subp. 8 subject to the following conditions:

1. A signed Landowner Statement & Contractor Responsibility form must be submitted to CWC prior to construction if the landowner is not doing the work himself.
2. Property owner / applicant understands that all other City of Crosslake Land Use Ordinance regulations must be followed, except structure setback from the edge of the wetland, which goes away as part of the wetland fill exemption project.
3. Appropriate erosion and sediment control be in place as needed to protect the undisturbed portions of the wetland during and post-construction to keep runoff from leaving the site and erosion from occurring.
4. Applicant should contact Rob Maroney with the U.S. Army Corps of Engineers at 651-290-5766 for other potential rules or processes related to wetlands administered by the federal government, including but not limited to tree removal.
5. This constitutes 100% of the total allowed wetland fill that the landowner can perform on the property under the 400 sq. feet de minimus exemption. Any fill beyond 400 sq. ft must be handled under wetland replacement as per MN rules 8420 concerning the Wetland Conservation Act (WCA).

For Replacement Plans using credits from the State Wetland Bank:

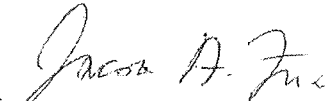
Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)

Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- ☐ **Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).
- ☐ **Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.
- ☐ **Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.		
Name Jacob A. Frie	Title Environmental Services Supervisor - Crow Wing County Land Services Department	
Signature 	Date 9/20/2018	Phone Number and E-mail 218-824-1124 jacob.frie@crowwing.us

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT.
Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$_____ fee (if applicable) to:	<input checked="" type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
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4. LIST OF ADDRESSEES

<input checked="" type="checkbox"/> SWCD TEP member: Beth Hippert
<input checked="" type="checkbox"/> BWSR TEP member: Cade Steffenson
<input type="checkbox"/> LGU TEP member (if different than LGU Contact):
<input checked="" type="checkbox"/> DNR TEP member: Owen Baird
<input type="checkbox"/> DNR Regional Office (if different than DNR TEP member)
<input type="checkbox"/> WD or WMO (if applicable):
<input checked="" type="checkbox"/> Applicant and Landowner (if different)
<input type="checkbox"/> Members of the public who requested notice: Jon Kolstad (Environmental Services Specialist - Crow Wing County)
<input checked="" type="checkbox"/> Corps of Engineers Project Manager
<input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf

➤ For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf

➤ Department of Natural Resources Regional Offices:

<u>NW Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	<u>NE Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	<u>Central Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	<u>Southern Region:</u> Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073
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For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

➤ For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

US Army Corps of Engineers
St. Paul District, ATTN: OP-R
180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

➤ For Wetland Bank Plan applications, also send a copy of the application to:

Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

☒ **Ulring delineation map (7_27_2018)**

☒ **Site plan (9_12_2018)**

☐
☐
☐



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: 969849 \$506.00

Permit Number:

220030V

Property Owner(s): The Ulring Family Real Estate Trust

Mailing Address: 35256 Riverwood Trail, Crosslake, MN 56442

Site Address: 35256 Riverwood Trail, Crosslake, MN

Phone Number: (218)833-9310

E-Mail Address: joel.ulring@hotmail.com

Parcel Number(s): 14210709

Legal Description: Lots 2, 3, 4 & 5 of GENDREAU'S LOTS

Sec 21 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Pine River

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

If yes list Parcel Number(s) —

Authorized Agent: n/a

Agent Address: n/a

Agent Phone Number: n/a

Variances

(Check applicable requests)

☒ Lake/River Setback

65' River setback where 100' = required

☐ 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

☒ 2nd WDOAS

☒ River setback of 0 where 100' is required

Signature of Property Owner(s) Joel Ulring

Digitally signed by Joel Ulring

Date: 2022.04.07 14:19:57 -05'00'

Date 4/7/2022

Signature of Authorized Agent(s) n/a

Date n/a

- All applications must be accompanied by a signed Certificate of Survey
- Fee \$500 for Residential and Commercial Payable to "City of Crosslake" + \$6.00 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 CS

Date 4-7-2022

Land Use District SD

Lake Class GD

Septic: Compliance n/a

SSTS Design n/a

Installation City Sewer



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:

Yes. The property is a river lot on the Pine River. The owner desires to attach a garage and additional living quarters to the existing home. The entire existing home is within the 100' setback from the Pine River. The proposed addition can not be reasonably connected to the existing home without encroaching into the setback area.

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

Yes ☒ No ☐

Why:

Yes. Adding the garage and additional living area will replace a small garage and provide a dining room (non-existing), home office and larger master bedroom for the owner. The proposed addition will maintain the essential character of the neighborhood. The existing small garage will be relocated on the property and refinished as a guest cabin.

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. The existing home was built within the 100' setback from the Pine River in the late 1950's before the current zoning codes and setbacks existed. The home is located entirely within the 100' set back so the addition can not be reasonably built without encroaching into the 100' setback area.

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

Yes ☒ No ☐

Why:

Yes. Because of the location of the existing home being entirely within the 100' setback area, the additional can not be built in a reasonable manner without encroaching into the set back area.



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: