

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: Butterfield Enterprises LLC

Authorized Agent: Patrick Trottier of Stonemark Land Surveying Inc

Site Location: 33703 Antler Rd, Crosslake, MN 56442

Variance for:

- Lot size of 804 to 2080 square feet where 20,000 square feet are required
- Lot width of 16 to 35.82 feet where 100 feet are required

To allow:

- .02 to .05 acre parcels in a Limited Commercial district

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: Butterfield Enterprises LLC

Parcel Number(s): 14330515/14330516

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: Patrick Trottier of Stonemark Land Surveying Inc

Variance for:

- Lot size of 804 to 2080 square feet where 20,000 square feet are required
- Lot width of 16 to 35.82 feet where 100 feet are required

To allow:

- .02 to .05 acre parcels in a Limited Commercial district

Current Zoning: Limited Commercial

Existing Impervious Coverage:

23.9%

Proposed Impervious Coverage:

40.9%

- A stormwater management plan was submitted with the variance application
- Winter Window Agreement for the septic compliance inspection is on file
- Winter Window Agreement for the wetland delineation is on file

Development Review Team Minutes held on March 9, 2022:

- Property is located at 33703 Antler Road
- The proposed Pine Vista Circle Plat, variance for lot size, and/or CUP for storage rental & dwelling, preliminary/final plats (covenants) and/or lot consolidation (1 for each parcel if not consolidated first); talk to surveyor on the consolidation
- Discussion on pros & cons on separate parcels vs consolidation of the two parcels; if keep separate may need easement for building #1 access
- Owner met with Chip Lohmiller, Fire Chief, to discuss short term rental requirements
- Article 10 Land Use Classification List, Sec 26-281 Land Use Table requires a CUP in the Limited Commercial district for storage rental and dwelling (short term rental)
- Impervious maximum of 50% (east side of both bldgs. has class 5); proposed: Building #1=6 storage units for sale; Building #2=8 units for dwelling (10)/office/storage; Building #3=1 large storage rental; new parking to be asphalt per ordinance

- The parcel is located within a plat and/or an organization that may have restrictions, owner verifies any restrictions and clarifies that the request is approved by that organization or allowed in the plat
- Design and implement a stormwater management plan (gutters, berm & rain gardens) to update any existing plan per Article 7 & 8 and is not required to be on the survey
- A septic compliance inspection will be required and/or septic design if applicable; applicant will need to verify that the septic size meets the listed # of rental occupancies
- Wetland Delineation is a requirement for a variance or a no wetland statement/letter
- Discussion on application requirements, procedure, schedule, fee and the requirements/need for a complete application packet by 4:30 PM of the deadline date; 2-yr variance limit; notification methods (Relating handouts were included in their packet: Land Use Table, LC Size/setbacks, parking, signs, landscaping/screening)
- 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 7, Sec. 26-185 for the CUP and Article 8, Sec. 26-222 for the variance of the City Land Use Ordinance and/or Chapter 44 preliminary/final plat
2. Wetland delineation or a no wetland statement/letter
3. A septic design if needed or a septic compliance inspection or winter window agreement
4. A complete Conditional Use Permit (CUP)/Variance application/preliminary plat
5. The public hearing fee of \$500.00 CUP/Variance each and preliminary/final plat costs

Parcel History:

- Pine Vista Plat established in 1999
14330515
- January 2004 – 6’ fence with three strands barbed wire between buildings & freestanding approximately 40 sq ft
14330516
- January 2000 – CUP for wholesaling/warehouse operation with retail sales
- February 2000 – CUP for outside storage in conjunction with wholesaling/warehousing operation
- March 2000 – 70’x150’ building; 56’x36’ building; 100’x50’ roofed storage per CUP 00-01 & 00-03
- April 2000 – CUP approved to operate a warehousing/wholesaling operation with retail sales
- April 2000 – CUP approved for outside storage and open, roofed storage in conjunction with the warehousing/wholesaling/retail sales operation
- August 2000 - Certificate of Installation for septic system

Agencies Notified and Responses Received:

County Highway Dept: No comment received before packet cutoff date

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:

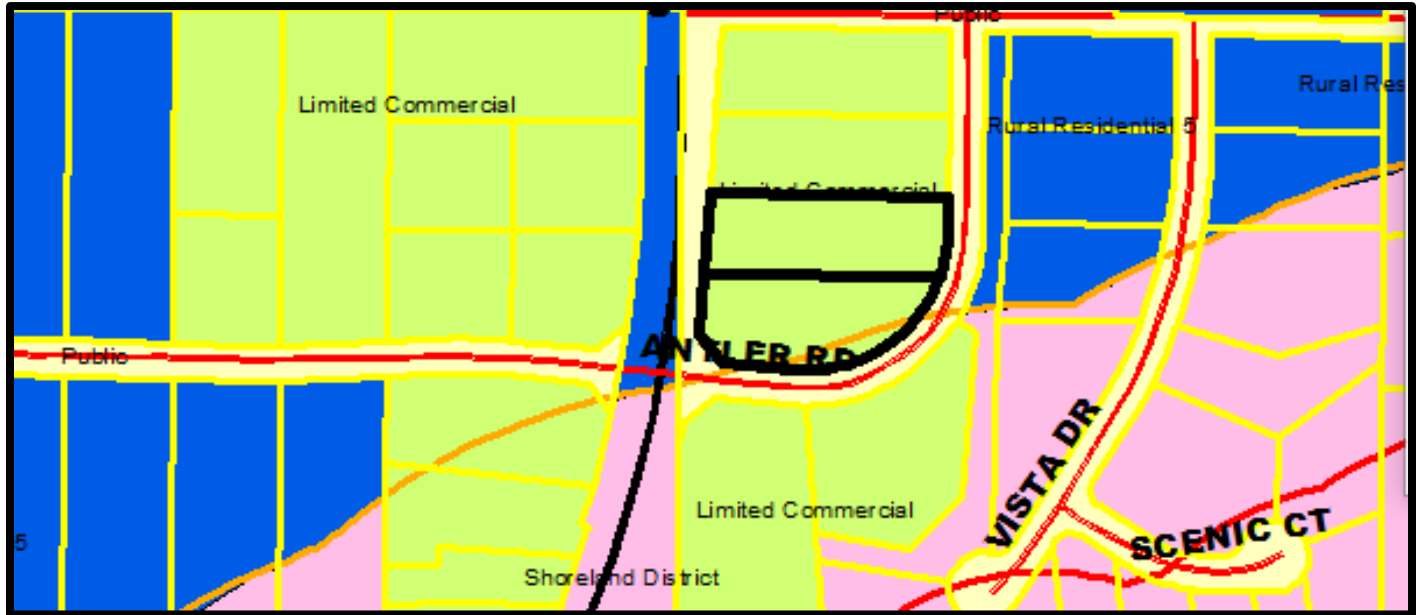
To approve/table/deny the variance to allow:

- Lot size of 804 to 2080 square feet where 20,000 square feet are required
- Lot width of 16 to 35.82 feet where 100 feet are required

To allow:

- .02 to .05 acre parcels in a Limited Commercial district

As shown on the certificate of survey dated 4-8-2022



PLAT ADDITION

PINE VISTA

KNOW ALL MEN BY THESE PRESENTS, That Vargen-Anderson, Inc., a Minnesota Corporation, fee owner and proprietor, of the following described property situated in the County of Crow Wing, State of Minnesota, to-wit:

Government Lot 4, Section 33, Township 137 North, Range 27 West, Crow Wing County, Minnesota.

Subject to easements, restrictions, and reservations of record.

Have caused the same to be surveyed and platted as PINE VISTA, and do hereby dedicate to the public for public use forever, the thoroughfares as shown on the plat, and also dedicating the easements as noted on the plat for the purposes specified.

In witness whereof said Vargen-Anderson, Inc., a Minnesota Corporation, has caused these presents to be signed by its proper officer this 30th day of December 1999

VARGEN-ANDERSON, INC.

David J. Figg, President

STATE OF MINNESOTA



The foregoing instrument was acknowledged before me this 31 day of December 1999, by David J. Figg, President of Vargen-Anderson, Inc., a Minnesota Corporation, on behalf of the Corporation.

Notary Public, Crow Wing County, Minnesota

My commission expires Jan 31, 2003

I hereby certify that I have surveyed and platted the property described on this plat as PINE VISTA, that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments have been correctly placed in the ground as shown, that the outside boundary lines are correctly designated on the plat, and that there are no wet lands as defined in MS 505.02, Subd. 1, or public highways to be designated other than as shown.

David S. Landecker, Land Surveyor

Minnesota License Number 17008

STATE OF MINNESOTA

COUNTY OF CROW WING

The foregoing Surveyor's Certificate was acknowledged before me this 14 day of December 1999 by David S. Landecker, Minnesota License Number 17008.

Notary Public, Crow Wing County, Minnesota

My commission expires Jan 31, 2003

I, Roy Lundkron, Auditor of Crow Wing County, Minnesota, do hereby certify that the taxes on the lands described hereon have been paid for the years prior to 1999.

Roy A. Lundkron, Auditor by Sandra J. Magnus, Deputy Auditor

I, Lauren Borden, Treasurer for Crow Wing County, Minnesota, do hereby certify that the taxes on the lands described hereon have been paid for the year 1999.

Lauren E. Borden, Treasurer by Jeffery J. Avery, Deputy

This plat of PINE VISTA was approved by the City Council for the City of Crosslake, Minnesota, on this 17th day of December 1999.

Darrell E. Swenson, Mayor

Thomas N. Swenson, City Administrator



LINE TABLE CURVE TABLE

NUMBER	DIRECTION	DISTANCE	NUMBER R=	L=	Δ=
L1	N 31°35'09" E	146.28	C1	33.00	40.62
L2	N 31°35'09" E	135.32	C2	66.00	288.59
L3	N 31°35'09" E	10.96	C3	66.00	22.11
L4	S 56°24'51" E	104.35	C4	66.00	65.24
L5	S 56°24'51" E	78.31	C5	66.00	113.78
L6	S 56°24'51" E	26.04	C6	66.00	67.46
L7	S 56°24'51" E	37.53	C7	33.00	51.84
L8	N 89°34'22" E	72.57	C8	308.00	172.00
L9	N 89°34'22" E	16.76	C9	308.00	125.92
L10	S 89°34'22" W	104.35	C10	66.00	288.58
L11	S 89°34'22" W	66.00	C11	66.00	72.74
L12	S 89°34'22" W	66.00	C12	66.00	57.05
L13	S 89°34'22" W	66.00	C13	66.00	158.29
L14	N 00°24'38" E	66.00	C14	33.00	40.62
L15	N 70°56'20" W	66.00	C15	33.00	51.84
L16	N 70°56'20" W	66.00	C16	33.00	51.84
L17	N 70°56'20" W	66.00	C17	33.00	51.84

Office of County Recorder
County of Crow Wing, MN
I hereby certify that the within instrument was filed in this public record on the 14th day of December 1999 and was duly recorded as Doc. No. 1561415.

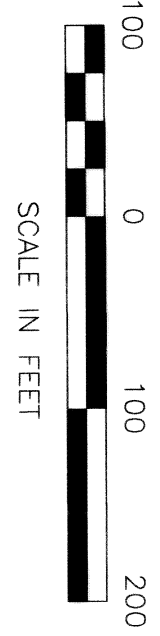
By: [Signature] County Recorder

BIG PINE LAKE

LAKE ELEVATION = 1196.87 ON JUNE 9, 1999

HIGHEST KNOWN ELEVATION = 1198.5

INFORMATION OBTAINED FROM MINNESOTA D.N.R. - 8" SPIKE IN 1.4" NORMAY FIRM 39' NORTHWEST OF CONCRETE BOAT RAMP. ELEVATION = 1203.67

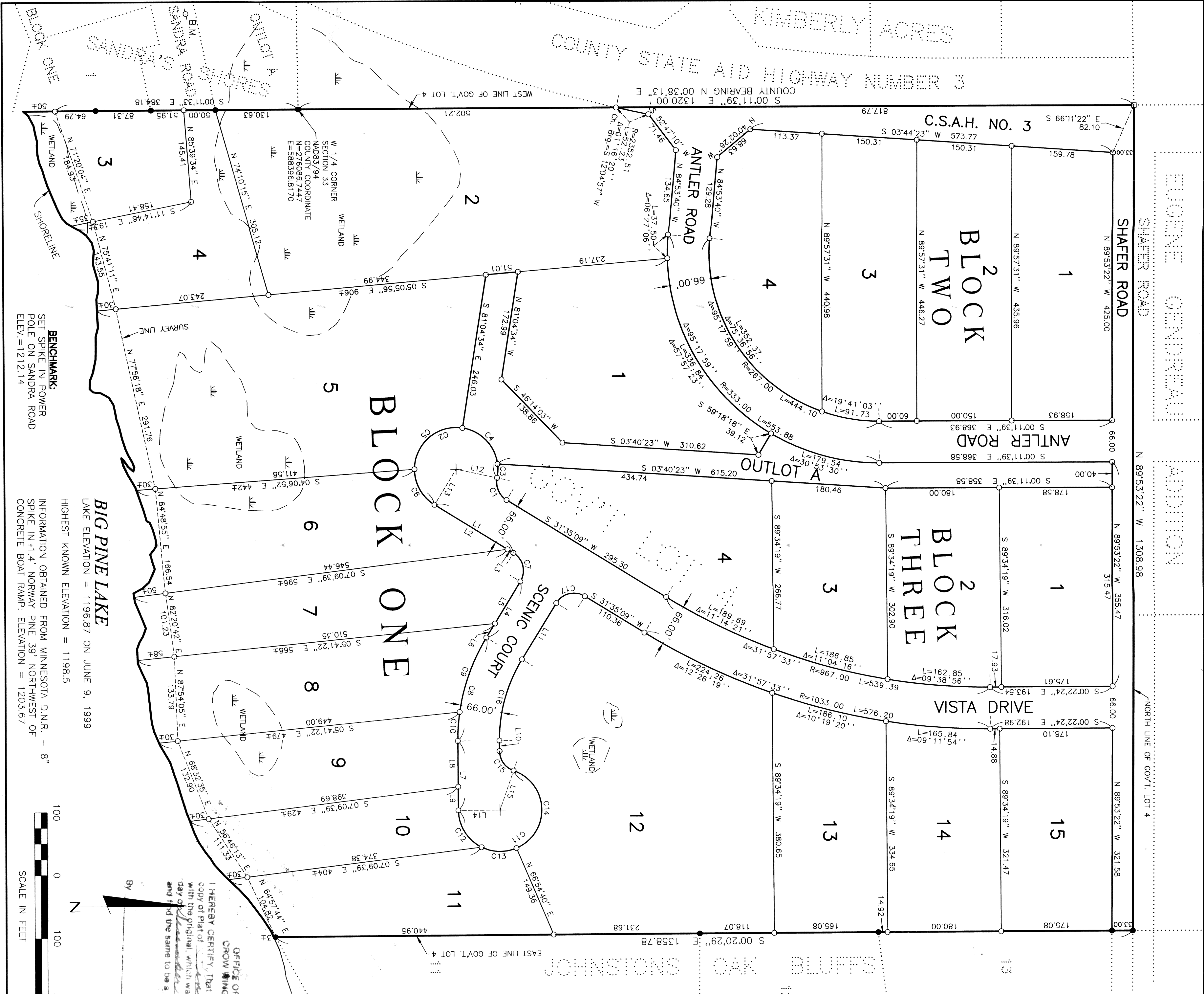


• DENOTES MONUMENT FOUND
○ DENOTES IRON MONUMENT SET
MARKED BY LICENSE NO. 17008
ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE NORTH LINE OF GOVT. 4 TO HAVE AN ASSUMED BEARING OF N 89°53'22" W.

UTILITY & DRAINAGE EASEMENT

NOTE: OUTLOT A AND ALL LOTS ARE AFFECTED BY A 10.00 FOOT WIDE DRAINAGE AND UTILITY EASEMENT WHICH ADJOINS ALL RIGHT OF WAYS.

PREPARED BY:
LANDECKER & ASSOCIATES INC.
P.O. BOX 120, PEQUOT LAKES, MN. 56472



From: [Mark Melby](#)
To: [Cheryl](#)
Cc: [Jory Danielson](#); [Tim Bray](#); [Rob Hall](#)
Subject: RE: 3.9.2022 DRT Meeting Info
Date: Tuesday, March 8, 2022 12:51:26 PM
Attachments: [image001.png](#)
[Application-Agency_Kent.pdf](#)
[Application-Agency_Gibbs.pdf](#)

Kent Application – If the proposed storage facility proceeds, any upgrades to a commercial entrance will require a permit from the highway department. The County and/ or Assistant Engineers may offer additional comments.

Gibbs Application – No comments on the Gibbs application at this time.

Mark Melby
Engineering Coordinator
Highway Department
Office - 218-822-2694
Cell - 218-839-6207
www.crowwing.us



Our Vision: Being Minnesota's favorite place.
Our Mission: Serve well. Deliver value. Drive results.
Our Values: Be responsible. Treat people right. Build a better future.

Let us know how we are doing: [Customer Service Survey](#).

From: Cheryl <cstuckmayer@crosslake.net>
Sent: Wednesday, February 23, 2022 1:04 PM
To: Mark Melby <Mark.Melby@crowwing.us>
Subject: 3.9.2022 DRT Meeting Info

Good Afternoon,

Please review the attachment(s). As always, any comments you would like to contribute to our meeting, please put in writing or present in person. The times of each application is indicated at the top of the application.

Respectfully,

Cheryl Stuckmayer
Planner – Zoning Coordinator
Crosslake Planning and Zoning Department





Variance Application

Planning and Zoning Department

13888 Daggett Bay Road, Crosslake, MN 56442

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

\$1,012 = copy of Variance + \$12 copies each

Receipt Number: 969951

Permit Number:

220032V

Property Owner(s): Butterfield Enterprises LLC

Mailing Address: 39098 Ox Lake Circle, Crosslake, MN. 56442

Site Address: 33703 Antler Rd. Crosslake, MN. 56442

Phone Number: 612-386-8361

E-Mail Address: Ben@crosslakesales.com

Parcel Number(s): 14330515/14330516

Legal Description: Lot 3 + 4, Block 2, Pine Vista

Sec 33 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: NA

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

If yes list Parcel Number(s) _____

Authorized Agent: PATRICK TROTTER

Agent Address: PO Box 874 Pegu Lake, MN 56472

Agent Phone Number: 218 568 4940

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
- ☒ Size & Width of Parcel
- ☐ _____

Signature of Property Owner(s) [Signature]

Date 4-08-2022

Signature of Authorized Agent(s) [Signature]

Date 4-08-2022

- 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 4-8-2022 Land Use District LC

Lake Class N/A Septic: Compliance WWA SSTS Design WWA 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: We are dividng the property into smaller spaces to rent
and to sell. We are also wanting to turn the office into a living space

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

Yes ☒ No ☐

Why: This property will be used in a very similar way but with less
noise. We will be making the property look better than it has been in the past

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

Yes ☒ No ☐

Why: We are iust dividng the property in to small spaces.

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

Yes ☒ No ☐

Why: The size of this property has 20,000 of buildings square
feet. It was used for a large production facility for logs a lot of the work was outside and very loud. Are application will not be doing that .



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: This will affect the people in Crosslake a Great Place to store their things out of side of small Business to operate in a nice location that is affordable. The front we will offer a STR that will not bother other people in the area. Perfect for small groups for weddings at the town center.

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

Yes ☒ No ☐

Why: yes we will change plan on adding a 3 Building that will screen most activity from the street. We are not changing the use except and the proposed plan is Great for smaller storage needs & less semi trucks.

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

Yes ☒ No ☐

Why: we are located on changing the use of the front office to STR that will be Great for the community for small groups & the rest of the property will have less large semi trucks.

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

Yes ☒ No ☐

Why: This large Building is very Big for most Building companies to occupy this space. we have designed this Building to use the space in a very friendly usable space for the community.



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: