

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

June 24, 2022

9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: Greg C & Roseanne Haglin

Authorized Agent: NA

Site Location: That part of Govt Lot 3, Bonnie Lakes Rd, Crosslake, MN 56442

Variance for:

- Density/lot size of 2+ acres where 5 acres are required

To allow:

- 2+ acre parcels in a Rural Residential 5 (RR5) 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: Greg C & Roseanne Haglin

Parcel Number(s): 14240601

Application Submitted: May 9, 2022

Action Deadline: July 7, 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

Variance for:

- Density/lot size of 2+ acres where 5 acres are required

To allow:

- 2+ acre parcels in a Rural Residential 5 (RR5) district

Current Zoning: Rural Residential 5 (RR5)

Existing Impervious Coverage:

0.0%

Proposed Impervious Coverage:

0.0%

- Two septic site suitabilities were submitted for each proposed parcel

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

- Property is located off of Bonnie Lake Road
- The proposed variance is for 7 parcels to be 2+ acres and 5 parcels to be 4+ acres where 5 acres are required
- Possible covenants per owner: Block 1 to be the 2+ acres needing a residence before a rear yard accessory structure could be built; Block 2 to be the 4+ acres without structural restrictions
- Gansen stated he would verify if the easement needed a cul-de-sac and if there are requirements to the easement length
- Plat name to be determined and given to Gansen
- Preliminary/Final plat upon variance approval
- Covenants to be submitted with preliminary plat if wanted
- Impervious maximum of 25% for the RR5 district
- If your parcel is located within an organization that has restrictions, it would be your responsibility to verify and meet those restrictions
- Two septic site suitability documents will be needed for each parcel and shown on the survey
- 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; payment policy; notification methods; variances are limited to 2 years with substantial completion

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. A preliminary plat meeting the requirements outlined in Chapter 44 of the Code of Ordinances of the City of Crosslake upon variance approval
3. Wetland delineation or a no wetland statement/letter
4. Two septic site suitability documents/per parcel
5. A complete Variance application with the \$500.00 public hearing fee
6. Upon variance approval the residential public hearing fee: \$500 + \$100 per new lot; Final \$500 + \$25 per new lot
7. Upon recommendation from the Planning Commission/Board of Adjustment to the City Council and before the city council meeting a park dedication fee of \$1,500.00 or 10% of land per new lot or a combination thereof as outlined in Chapter 44, Sec. 44-402 is required for newly created lots

Parcel History:

- No parcel history on this vacant parcel

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:

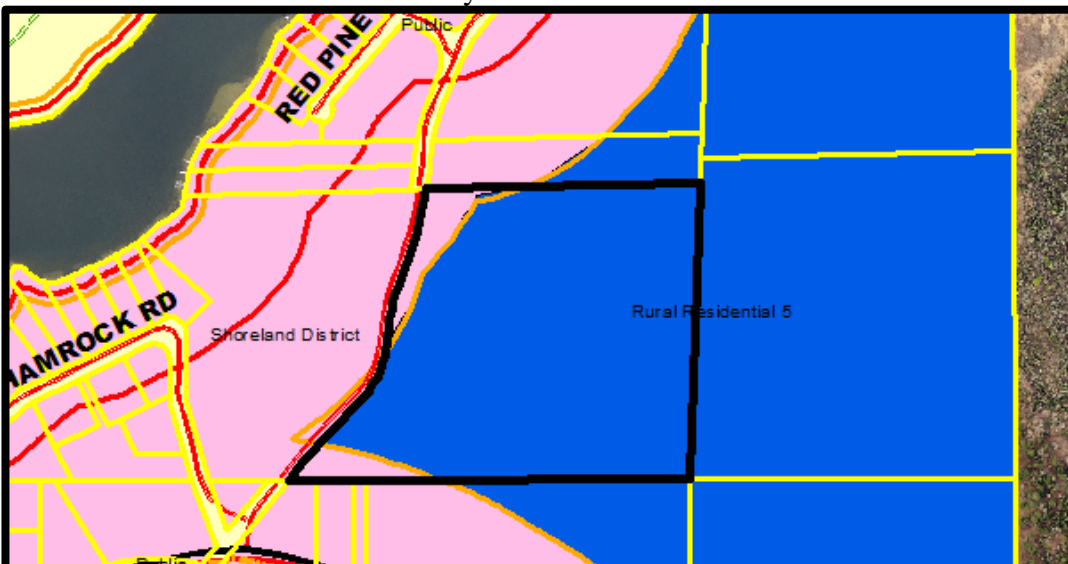
To approve/table/deny the variance to allow:

- Density/lot size of 2+ acres where 5 acres are required

To allow:

- 2+ acre parcels in a Rural Residential 5 (RR5) district

As shown on the certificate of survey dated 5-4-2022



PRELIMINARY PLAT
BONNIE LAKES ESTATES

EXISTING DESCRIPTION - (As Per Doc. No. - 266889 Parcel No.: 14240601)
That part of Government Lot Three (3), Except the North One Hundred (100) feet thereof, in Section Twenty-Four (24), Township One Hundred Thirty-seven (137) North, of Range Twenty-seven (27) West of the Fifth Principal Meridian, that lies easterly of O'Brien Road as the same crosses said Government Lot Three (3).

SURVEYOR'S NOTES:

- Bearing Orientation is based on Crow Wing County Coordinate System NAD83/2011.
- Benchmark: Set double spike in on 18 inch oak tree. Elevation = 1245.3 (NGVD29)
- The field survey was completed on 3/2/2022. There was approximately 12 inches of snow cover across the property being surveyed.
- The wetlands shown have been delineated by Mitch Brinks, Certified Wetland Delineator, #1007, on April 18, 2022.
- Property Zoning: Rural Residential 5
- Setback Requirements: R-O-W = 35 feet Wetland = 15 feet Property Line = 10 feet
- Subject property is non-florian.

LAND AREA:
35.89 ACRES
ROAD AREA:
1.02 ACRES

WETLAND:
Delineated by Mitch Brinks
Certified Wetland Delineator

OWNER/DEVELOPER:
Greg Haglin
523 Carver Lane
Lebanon, TN, 37087

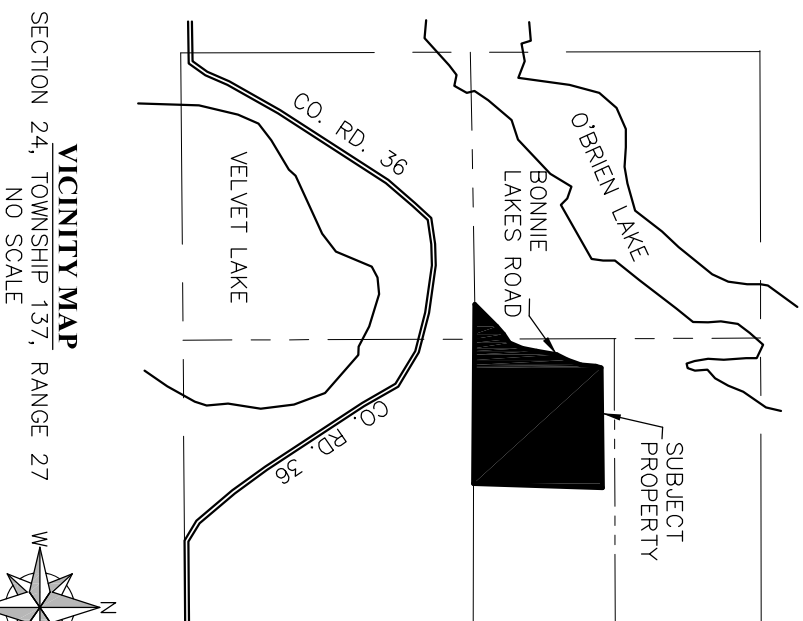
SITE LOCATION:
Bonnie Lakes Road
Crosslake, MN, 56442

PARCEL NO.
14240601

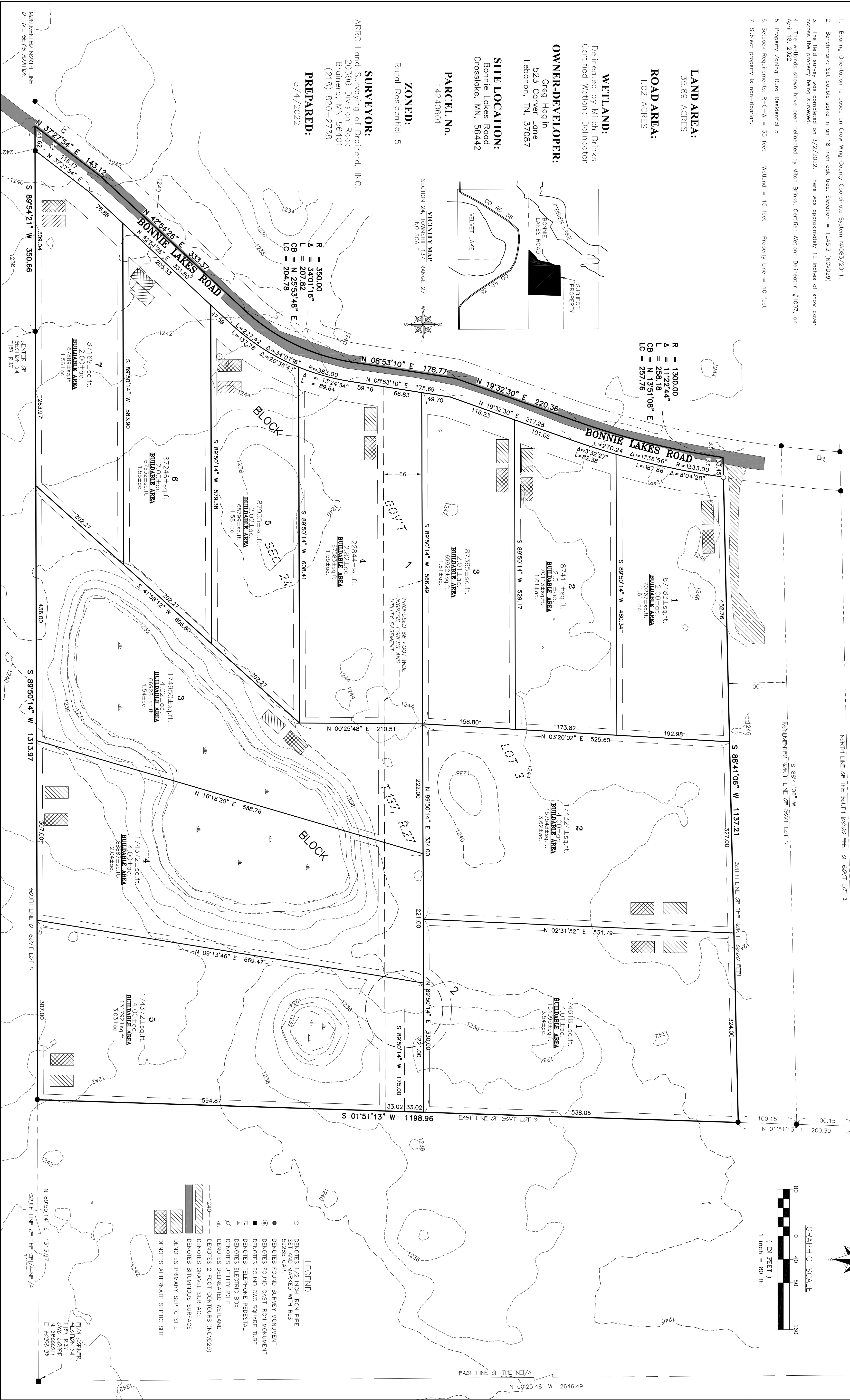
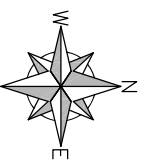
ZONED:
Rural Residential 5

SURVEYOR:
ARRO Land Surveying of Brainerd, INC.
20396 Division Road
Brainerd, MN 56401
(218) 820-2738

PREPARED:
5/4/2022



VICINITY MAP
SECTION 24, TOWNSHIP 137, RANGE 27
NO SCALE



PRELIMINARY PLAT
Part of Gov't Lot 3,
Sec, 24, T.137, R.27
Crow Wing County, MN



I hereby certify that this survey, plan or report 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.
Signed this 4th day of May, 2022
By: Jared A. Spaid, Minnesota License No. 59285

DRAWN BY: JAS CHECKED BY: EEL

APPROVED BY: JAS JOB NUMBER: 22-020P

NO.	DATE	BY	REVISION	DESCRIPTION

CLIENT:
Greg Haglin

Brinks Wetlands Services LLC
Mitch Brinks
Certified Wetland Delineator #1007
11914 Joneswood Cir
Baxter, MN 56425
218-820-9502



April 18, 2022

Crosslake Planning & Zoning
13888 Daggett Bay Rd
Crosslake, MN 56442

S/B 14240601

Re: Wetland Delineation for Haglin Site, PID 14240612

On Monday, April 18, 2022, I visited the 20+ acre Haglin site located east of Bonnie Lakes Road, north of County Road 36 in the City of Crosslake (*PIN: 14240612*). A wetland determination was conducted by examining the vegetation, soils, and hydrologic indicators of the site. All three of these criteria must be met in order for wetlands to exist. One large wetland complex and one small wetland were observed on the site.

The wetland delineation was conducted pursuant to the 1987 *Army Corps of Engineers Wetlands Delineation Manual* with subsequent clarification memoranda and supplements and pursuant to confirmation by the Army Corps of Engineers and / or the Local Government Unit. The wetland determination was conducted at a level of care and skill generally accepted by professionals performing this type of work under the usual constraints of time and resources.






Sincerely,

A handwritten signature in black ink that reads "Mitch Brinks".

Mitch Brinks
Minnesota Certified Delineator #1007
218-820-9502
mapsbymitch@gmail.com

Wetland Delineation Map

PID: 14240601

-  Wetland Delineation Lines
-  Parcel Lines (approx.)
-  10 ft Contours
-  2 ft Contours
-  NWI Wetlands

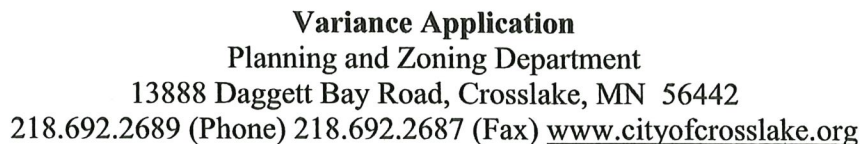
Wetland B (type 2)

Wetland A
(type 2,8)

PSS3/EM1Bq

Wetland Delineation Conducted on 4-18-22 by:
Mitch Brinks, Certified Wetland Delineator #1007
Aerial Photo Source: Crow Wing County, 2019





220056 ✓

Agent Phone Number: _____

[illegible]

Signature of Authorized Agent(s) 7/1A Date 7/1A

- 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 = \$506.00
- 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.

Lake Class GD Septic: Compliance N/A SSTS Design N/A Installation None
O'Brien Site Suitabilities



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:

Current zoning is RR5. Meeting minutes from past City meetings indicate the desire by the planning commission and council for a medium density zoning. The minutes, however, state that a decision was made to approach this through a variance process rather than a new zoning ordinance. Our plat is reasonably within the scope of that discussion.

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

Yes ☒ No ☐

Why:

Part of this property is within shoreland zoning, requiring only 40,000 minimum lot size and is in the neighborhood of O'brien lake homes and Velvet Lake homes. Our proposed plat will blend nicely with the surrounding area, while maintaining a rural neighborhood environment. This will be an intentional transition between the higher-density of shoreland zoning and the surrounding area to the East.

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 purchased this property after the shoreland and the RR5 zonings were implimented, and were not participants in either.

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

Yes ☒ No ☐

Why:

This plat would create a residential solution not currently found in Crosslake today. A plat within current zoning would actually be more advantageous because of flexibility of use within RR5, but we want to create a neighborhood done right on the edge of town. We want to create spacious forested lots with a rural feel, while setting design standards for a neighborhood with high level of homeowner appeal.



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: