



STAFF REPORT

Property Owner/Applicant: Robert Herje

Parcel Number(s): 14300737

Application Submitted: July 21, 2022

Action Deadline: September 18, 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: Kevin McCormick

Conditional Use Permit (CUP) for:

- Accessory structure requires a CUP for greater than 2500 square feet; Proposing a 3,352.5 square foot structure upon approval of a variance size increase

Current Zoning: Shoreland District

Existing Impervious Coverage:

8.4%

Proposed Impervious Coverage:

12.6%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 6-1-2022

Parcel History:

- October 1997 – Dwelling with an attached garage and decks
- April 1998 – Septic Certificate of Installation

City Ordinance:

Residential rental unit and commercial storage building/storage unit rental – Allowed in Limited Commercial zoning with an approved conditional use permit (Article 10, Sec. 26-281)

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

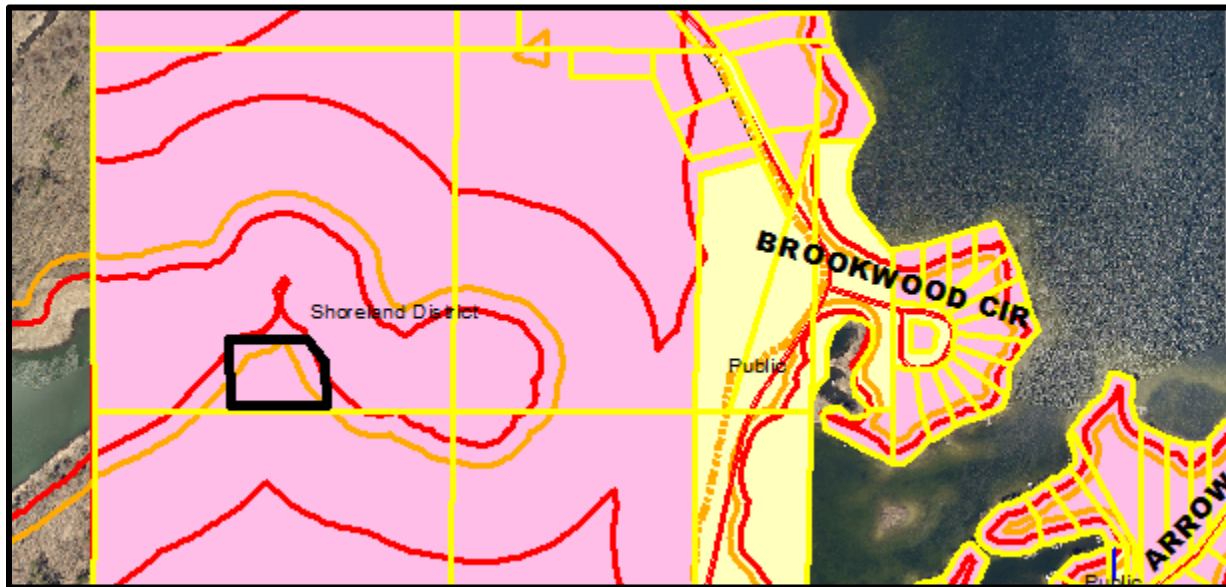
POSSIBLE MOTION:

To approve/table/deny the Conditional Use Permit for an accessory structure proposing to be 3,352.5 square feet which requires a CUP for greater than 2500 square feet; involving approximately 1.86 acres located at 34448 Duck Lane, City of Crosslake

POSSIBLE CONDITIONS:

1. None – this is on a residential parcel and to be used for personal use. A variance approval for the structure size increase proposed, on/for the current lot size would need to be approved before a CUP could be heard

As shown on the certificate of survey dated 6-12-2022



ARTICLE 36 - Accessory Structure Standards

Sec 26-960 Accessory Structures—Residential Districts

- (1) On lots 2 acres in size or less, each residential accessory structures must meet the following requirements:

STRUCTURE SIZE	Road right of way	Side yard	GD Lake	GD River	RD Lake	NE Lake	NE River	Bluff	Wetland	Building Height	Wall Height
Up to 1200 square feet in size	35	10	75	100	100	150	150	30	15	24	12

- (2) On Lots greater than 2 acres and less than 4 acres in size, residential accessory structures shall meet the following requirements:

STRUCTURE SIZE	Road right of way	Side yard	GD Lake	GD River	RD Lake	NE Lake	NE River	Bluff	Wetland	Building Height	Wall Height
Up to 2500 square feet in size	35	10	75	100	100	150	150	30	15	24	12

- (3) On Lots greater than 4 acres in size, each residential accessory structure must meet the following requirements:

STRUCTURE SIZE	Road right of way	Side yard	GD Lake	GD River	RD Lake	NE Lake	NE River	Bluff	Wetland	Building Height	Wall Height
Maximum impervious limit of 25% for the lot shall not be exceeded	35	10	75	100	100	150	150	30	15	24	16

- (4) A permit shall not be required for up to two accessory structures totaling no more than 160 square feet.
- (5) No accessory structure shall be used for human habitation except to allow for a permitted auxiliary quarter as listed in Section 26-314.
- (6) All setback and building height requirements shall be met.
- (7) Construction complies with all provisions of Articles 20 and 21 of this Chapter.
- (8) Semi-trailers, railroad cars, manufactured houses, or similar structures shall not be used for storage.
- (9) Accessory Structures with a footprint greater than 2500 sq ft shall require a Conditional Use Permit

3352.5 proposed

Secs 26-961—26-994 Reserved

Called Rob 7/20/22 will be submitting app & \$
For CUP to be on same agenda

Legend

- Set $\frac{5}{8}$ " Rebar Cap Number 15294
- Found Survey Monument
- ⊗ Well
- Ⓢ Sanitary Tank
- ⓔ Electrical Transformer
- ▨ Gravel Drive
- ▬ Concrete Surface
- Structure Setback Lines Typical
- Flow Arrow
- X Spot Elevation

Certificate of Survey

Part of the NW $\frac{1}{4}$ - NW $\frac{1}{4}$

Part of Section 30 Township 137 Range 27

Crow Wing County, Minnesota

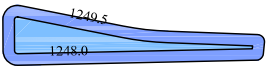
Storm Water Calculations

(Impervious Surface Area) 6,875 x 0.80 (coefficient) x 0.523 (6.28 " 24 hr 100 yr event) = 2,876.5 Cubic Ft. Storage Required

Surveyors Notes:

- a) The property contains bluffs as indicated on the survey
- b) Natural Environment setback of 150' is more restrictive than the 30' top of bluff setback
- c) No OHW has been established by the MN DNR.
- d) For purposes of this survey an elevation of 1216 has been used to determine the structure setback from Henry Lake
- e) FEMA Flood Elevation is "Zone X areas of minimal flooding
- f) Topographic contours provided by Crow Wing County Lidar
- Site Benchmark top of 5/8 " rebar northeasterly boundary corner elevation 125.64 NGVD 1929 datum

Top Elevation 1249.5 - Surface Area 2,931 sq. ft.
Bottom Elevation 1248 - Surface Area 445 sq. ft.
Total Surface area $\frac{3,376}{2}$ x 2 = 3,376 cu. ft. Provided



Proposed Storm Pond

Project boundary and surrounding properties are icurrently zoned :Shoreland District"

Sideline structure setbacks 10'

Lakeshore setback 150' from Natuarl Environmental Lake 150'

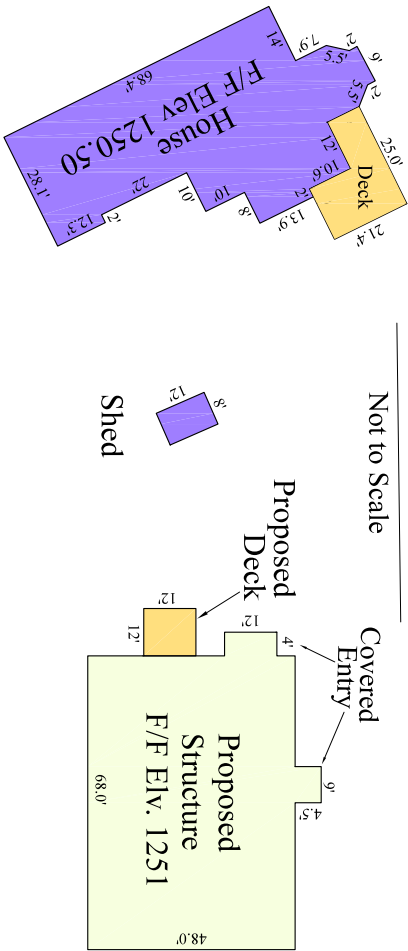
Impervious Surface Calculations

Existing Lot Area	81,173 Sq. Ft. +/- 1.86 Acres +/-
Existing Buildable Area	81,173 Sq. Ft. +/-
Existing Home	2,529 Sq. Ft. +/-
Shed	97 Sq. Ft. +/-
Existing Concrete	1,039 Sq. Ft. +/-
Existing Deck	348 Sq. Ft. +/-
Existing Gravel Drive	2,862 Sq. Ft. +/-
Existing Impervious Surface	6,875 Sq. Ft. +/-
Total Impervious Surface	6,875 Sq. Ft. +/- = 8.4%
Existing Lot Area	81,173 Sq. Ft. +/-

Proposed Impervious Surface Calculations

Existing Lot Area	81,173 Sq. Ft. +/-
Existing Home	2,529 Sq. Ft. +/-
Shed	97 Sq. Ft. +/-
Existing Concrete	1,039 Sq. Ft. +/-
Existing Deck	348 Sq. Ft. +/-
Existing Gravel Drive	2,862 Sq. Ft. +/-
Proposed Structure	3,352.5 Sq. Ft. +/-
Proposed Deck	144 Sq. Ft. +/-
Total Impervious Surface	10,283 Sq. Ft. +/-
Total Impervious Surface	10,371.5 Sq. Ft. +/- = 12.7 %
Existing Lot Area	81,173 Sq. Ft. +/-

House Details



Deed of Record Document No.0557455

That part of the Northwest Quarter of the Northwest Quarter, Section 30, Township 137 North, Range 27 West, Crow Wing County, Minnesota, described as follows:

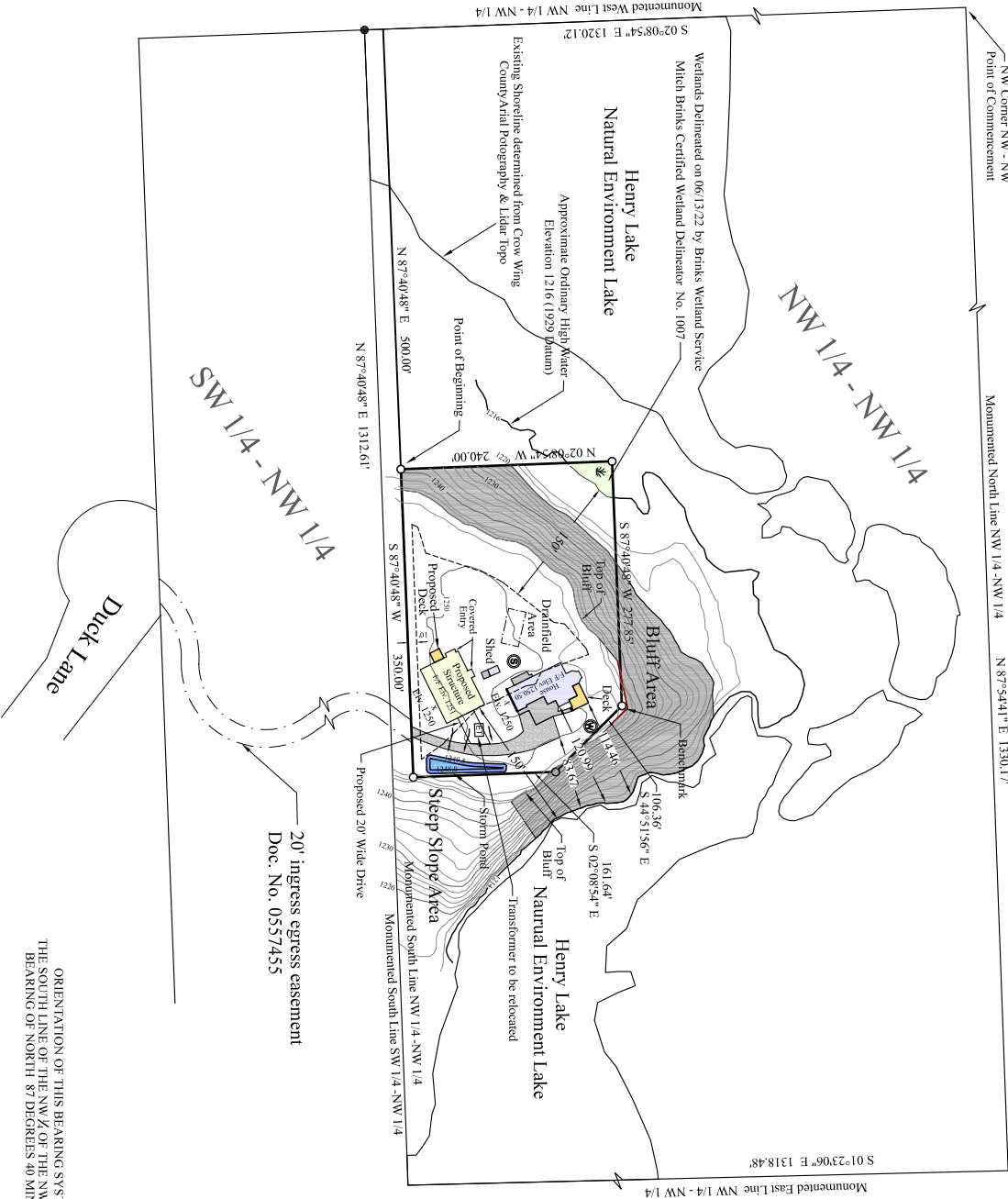
Commencing at the Northwest corner of said Northwest Quarter of the Northwest Quarter; thence South 02 degrees 08 minutes 54 seconds East, assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter a distance of 1,299.02 feet; thence North 87 degrees 40 minutes 48 seconds East 500.00 feet to the point of beginning of the tract to be herein described; thence North 87 degrees 40 minutes 48 seconds East 350.00 feet; thence North 02 degrees 08 minutes 54 seconds West 161.64 feet; thence North 44 degrees 51 minutes 56 seconds West 106.36 feet; thence South 87 degrees 40 minutes 48 seconds West 277.85 feet, more or less, to the intersection with a line bearing North 02 degrees 08 minutes 54 seconds West from the point of beginning; thence South 02 degrees 08 minutes 54 seconds East 240.00 feet to the point of beginning.

Subject to easements, restrictions and reservations of record.

Easement of Record

A 20.0 foot wide easement for ingress, egress and utility purposes over, under and across that part of the Southwest Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northwest Quarter, Section 30, To hip 137 North, Range 27 West, Crow Wing County, Minnesota, the centerline the center line described as follows:

Commencing at the Southeast corner of said Southwest Quarter of the Northwest Quarter; thence South 87 degrees 40 minutes 48 seconds West 466.29 feet to the point of beginning of the centerline to be herein described; thence Northeastly 93.24 feet along a non-tangential curve concave to the Southeast having a radius 103.23 feet, a central angle of 51 degrees 45 minutes 17 seconds, a chord bearing of North 67 degrees 44 minutes 30 seconds East for a chord distance of 90.11 feet; thence South 86 degrees 22 minutes 52 seconds East tangent to said last described curve 31.15 feet; thence Northeastly and Northly 191.39 feet along a tangential curve concave to the Northwest having a radius of 85.85 feet and a central angle 127 degrees 44 minutes 21 seconds; thence North 34 degrees 07 minutes 13 seconds West tangent to said last described curve 62.15 feet; thence Northly 154.32 feet along a tangential curve concave to the Northeast having a radius of 237.23 feet and a central angle of 57 degrees 16 minutes 16 seconds; thence North 03 degrees 09 minutes 04 seconds East tangent to last described curve 35.33 feet; thence Northwestly 69.26 feet along a tangential curve concave to the Southwest having a radius of 70.52 feet and a central angle of 56 degrees 16 minutes 18 seconds; thence North 53 degrees 07 minutes 14 seconds West tangent to said last described curve 32.75 feet; thence Northly 190.68 feet along a tangential curve concave to the East having a radius of 100.60 feet and a central angle of 108 degrees 36 minutes 01 seconds; thence North 55 degrees 28 minutes 47 seconds East tangent to last described curve 5.00 feet; thence Northeastly 68.24 feet along a tangential curve concave to the Northwest having a radius 78.89 feet and a central angle of 49 degrees 33 minutes 33 seconds; thence North 05 degrees 55 minutes 14 seconds East tangent to said last described curve 98.57 feet; thence Northwestly 72.50 feet along a curve concave to the Southwest having a radius 68.97 feet and a central angle of 60 degrees 13 minutes 15 seconds; thence North 54 degrees 18 minutes 01 seconds West tangent to said last described curve 102.34 feet; thence North 48 degrees 23 minutes 00 seconds West 200.96 feet; thence North 43 degrees 34 minutes 18 seconds West 49.73 feet; thence Northeastly 161.78 feet along a tangential curve concave to the East having a radius 94.11 feet and a central angle of 96 degrees 29 minutes 25 seconds; thence North 54 degrees 55 minutes 08 seconds East tangent to last described curve 80.74 feet; thence North 13 degrees 50 minutes 21 seconds East 162.84 feet and said centerline there terminating.



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE SOUTH LINE OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ TO HAVE AN ASSUMED BEARING OF NORTH 87 DEGREES 40 MINUTES 48 SECONDS EAST

Property Owners: Robert & Laurie Herje

Property Address: 34448 Duck Lane

Property ID No. 14300737

Land Design Solutions
Commercial Land Surveying & Engineering Services
11811 Lake Trail Circle
218.800.0854
landdesignsolutions.co

Survey Prepared for: Robert & Laurie Herje

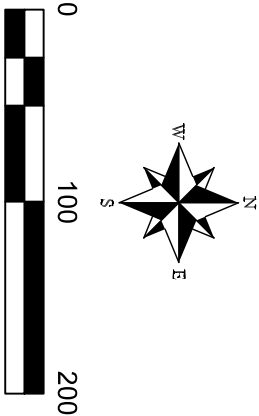
DATE: 06/12/2022

SCALE: 1" = 200'

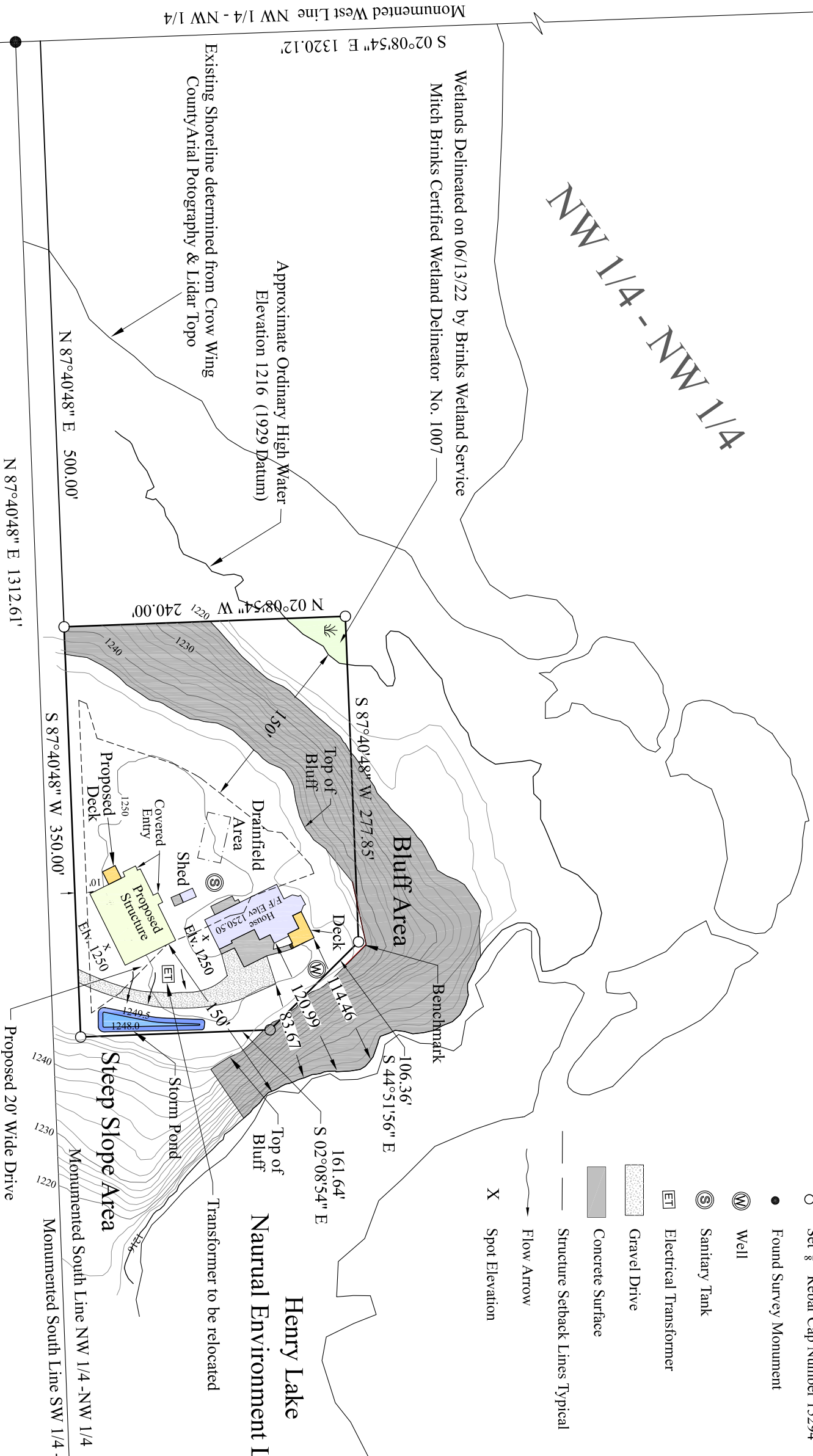
PROJECT NO. 22-02

Site Exhibit Detail

Part of the NW 1/4 - NW 1/4
Part of Section 30 Township 137 Range 27
Crow Wing County, Minnesota



NW Corner NW - NW
Point of Commencement



Legend

- Set $\frac{5}{8}$ " Rebar Cap Number 15294
- Found Survey Monument
- ⊙ Well
- ⊙ Sanitary Tank
- ⊙ Electrical Transformer
- ▨ Gravel Drive
- Concrete Surface
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- Flow Arrow
- X Spot Elevation

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Proposed Impervious Surface Calculations

Existing Lot Area 81,173 Sq. Ft. +/-

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Henry Lake Naaural Environment Lake

Wetlands Delineated on 06/13/22 by Brinks Wetland Service
Mitch Brinks Certified Wetland Delineator No. 1007

Approximate Ordinary High Water
Elevation 1216 (1929 Datum)

Existing Shoreline determined from Crow Wing
County Arial Potography & Lidar Topo

Property Owners: Robert & Laurie Herje
Property Address: 34448 Duck Lane
Property ID No. 14300737

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE
THE SOUTH LINE OF THE NW 1/4 OF THE NW 1/4 TO HAVE AN ASSUMED
BEARING OF NORTH 87 DEGREES 40 MINUTES 48 SECONDS EAST

Sheet 2 of 2

Land Design Solutions
Complete Land Survey Solutions

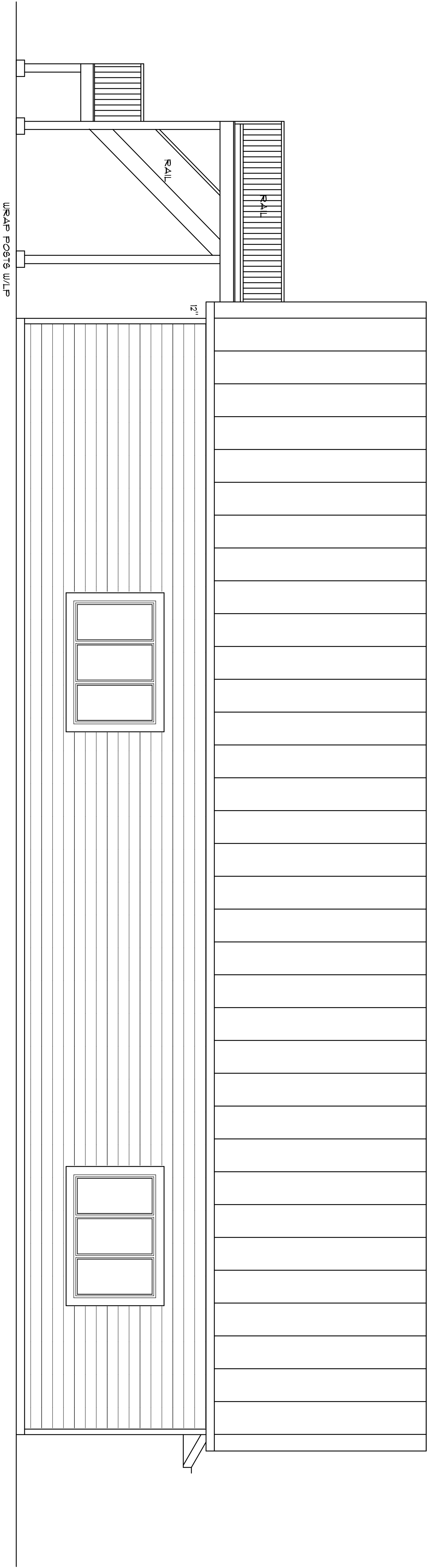
11821 Lake Trail, Crookston, Minnesota 56442
218.820.0854
landdesignsolutions.co

I hereby certify that this survey was completed by me, or under any direct supervision and that I am a duly licensed Land Surveyor of the State of Minnesota.

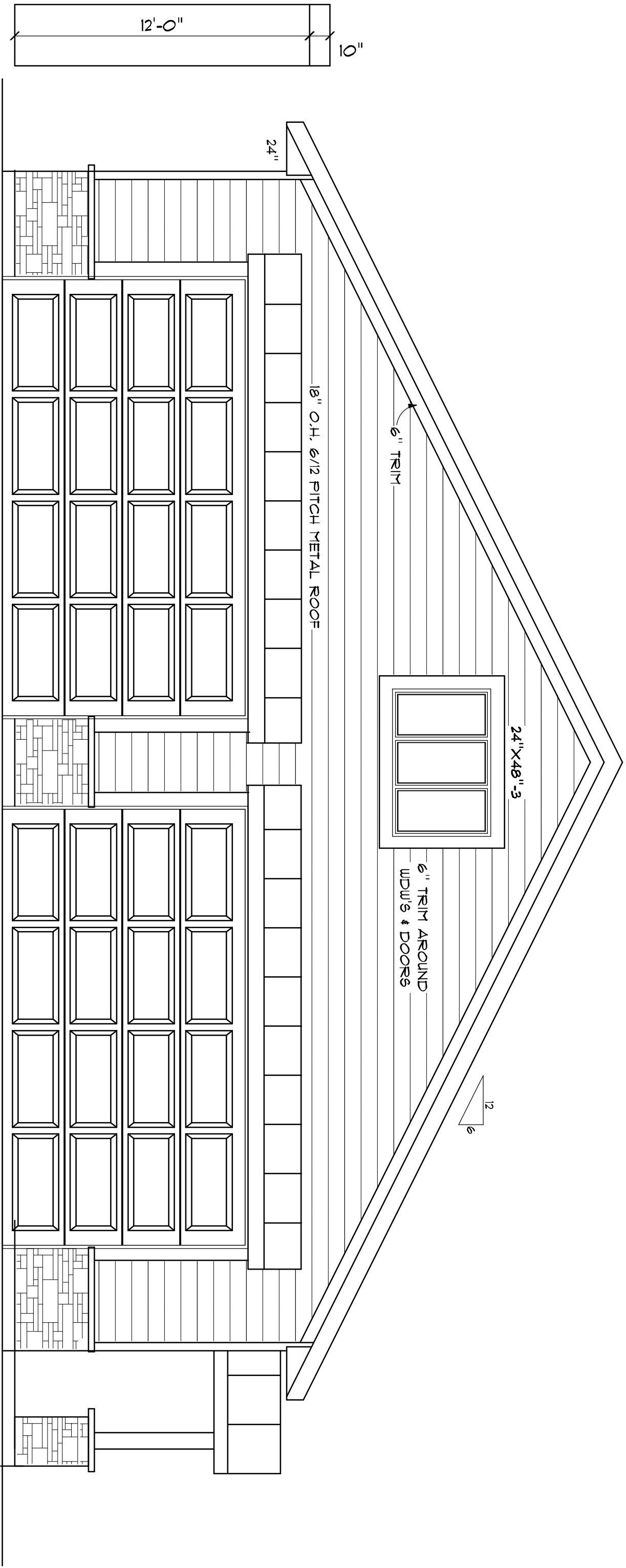
Certificate of Survey
Survey Prepared for: Robert & Laurie Herje

DATE: 06/12/2022
SCALE: 1" = 200'

PROJECT NO. 22-020



LEFT 1/4" = 1'-0"

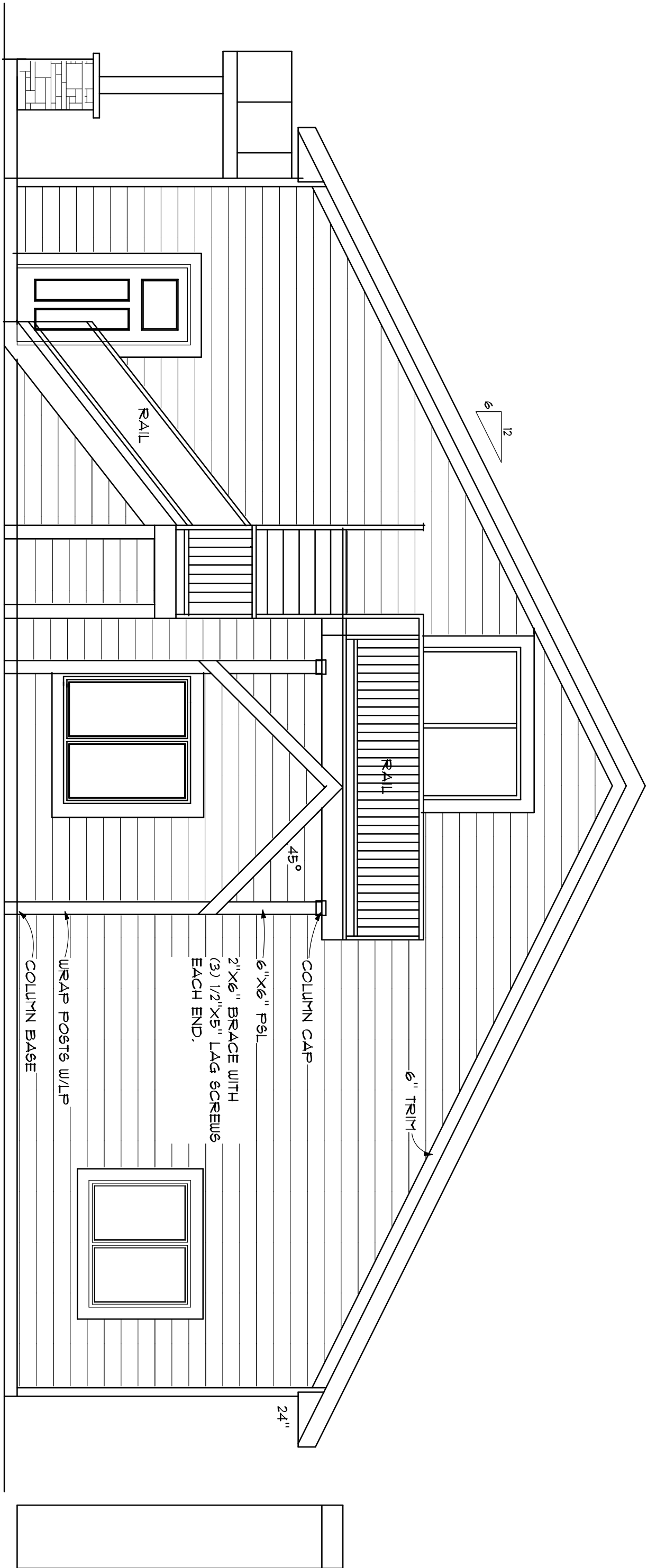


FRONT 1/4" = 1'-0"

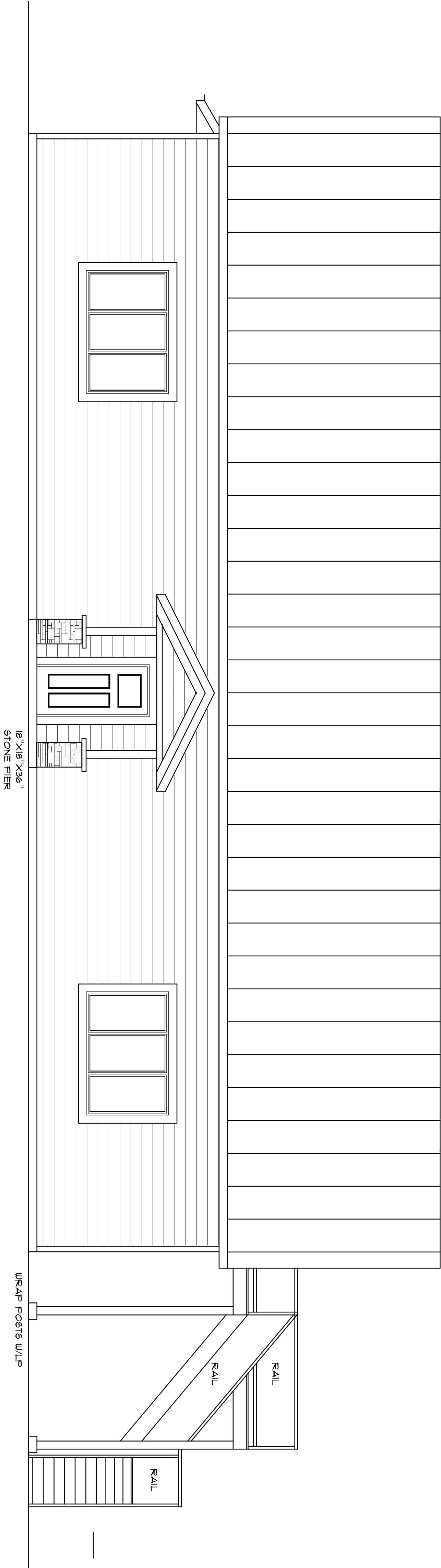
OUTSIDE CORNER 6, 4"X4" CEDAR CUT AND INSTALLED IN A SIMILAR WAY AS THE EXISTING HOME.

ROBB HERJE

HALLQUIST DESIGN INC. OR ITS EMPLOYEES ASSUME NO RESPONSIBILITY FOR ERRORS OR OMISSIONS. THE BUILDER, OWNER OR PERSON(S) USING THIS PLAN MUST VERIFY AND CHECK THE ENTIRE PLAN PRIOR TO PART OF CONSTRUCTION AND BE RESPONSIBLE FOR CAME NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE BUILDER SHALL VERIFY WITH APPLICABLE CODES. IN NO EVENT SHALL HALLQUIST DESIGN INC. OR ITS EMPLOYEES BE RESPONSIBLE FOR ANY DAMAGES WHATSOEVER. THESE PLANS EXPIRE THREE YEARS FROM THE ISSUE DATE UNLESS, HOWEVER, THE BUILDER OR OWNER REQUESTS A REVISION. THE BUILDER'S FINAL SELECTIONS OF PRODUCT/MATERIALS SHALL BE BY THE BUILDER/OWNER. BUILDER/OWNER SHALL VERIFY THE BUILDING SITES SOIL PROPERTIES.

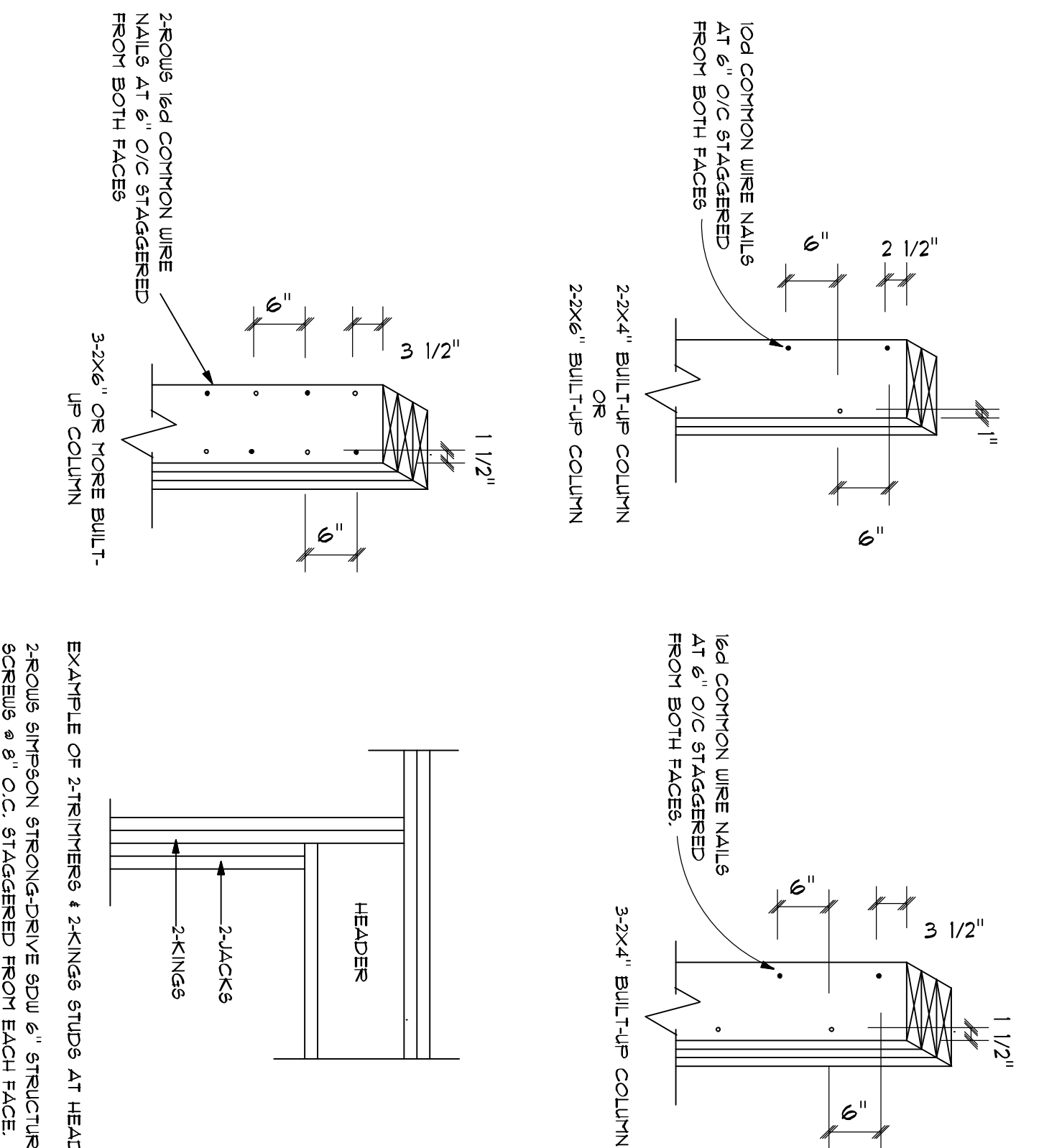


REAR 1/4" = 1'-0"

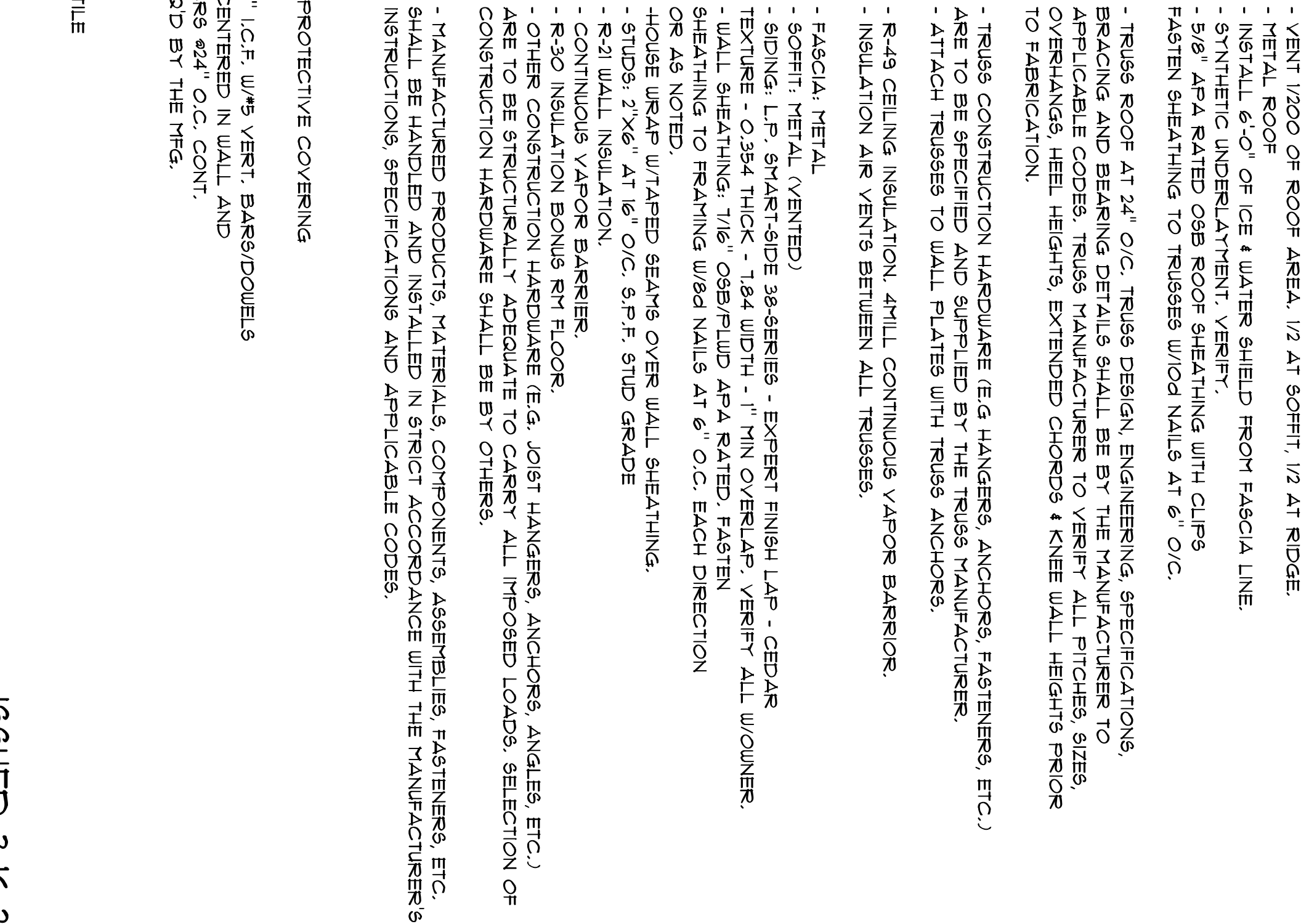


RIGHT 1/4" = 1'-0"

ROBB HERJE



BUILT-UP COLUMN DETAILS 3/4"=1'-0"



2397.22

$$\frac{5T}{5T}$$



Conditional/Interim Use Permit Application

Planning and Zoning Department

13888 Daggett Bay Rd, Crosslake, MN 56442

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

Receipt Number: 771603

Permit Number: 220133C

Property Owner(s): Robert A. Herje

Mailing Address: 3345 Zircon Lane North

Site Address: 34448 Duck Lane Crosslake 56442

Phone Number: (612) 532-0703

E-Mail Address: rherje@northlandsecurities.com

Parcel Number(s): 14300737

Legal Description: That part of the NW 1/4 of the NW 1/4

Sec 30 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Land Involved: Width: _____ Length: _____ Acres: _____

Lake/River Name: Henry Lake

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

If yes, list Parcel Number(s) 14300736; 14300733

Authorized Agent: Kevin McCormick 14300743
14300738

Agent Address: _____

Agent Phone Number: _____

Signature of Property Owner(s) [Signature]

Date 7-20-22

Signature of Authorized Agent(s) _____

Date _____

- All applications must be accompanied by a site plan
- 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 CS Date 7-21-22 Land Use District SD Lake Class NE

Septic: Compliance 6-1-2022 SSTS Design na Installation na

(Check applicable requests)

Residential & Related Uses:

Specify

- ☒ Shoreland District
- ☒ Rural Residential District (5 A Min.)
- ☐ Sensitive Shoreland District
- ☐ Limited Commercial District
- ☐ Downtown Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

Recreational Uses:

Specify

- ☐ Shoreland District
- ☐ Rural Residential District (5 A Min.)
- ☐ Limited Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

Civic, Edu & Institutional Uses:

Specify

- ☐ Shoreland District
- ☐ Rural Residential District (5 A Min.)
- ☐ Limited Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

Commercial & Industrial Uses:

Specify

- ☐ Shoreland District
- ☐ Rural Residential District (5 A Min.)
- ☐ Sensitive Shoreland District
- ☐ Limited Commercial District
- ☐ Downtown Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

City of Crosslake Planning Commission/Board of Adjustment

Conditional Use Permit Application

Findings of Fact

Supporting/Denying a Conditional Use Permit Request

Findings shall be made in either recommending approval or denial of a Conditional Use Permit application, and should reference Chapter 26, Article 7 of the City of Crosslake Ordinance. The following questions are to be considered, but are not limited to:

- (1) Will the proposed use impact the health, safety, and general welfare of the occupants in the surrounding neighborhood?

YES ☐ NO ☒

Why?

I have no neighbors; building on a parcel in the middle of 140 Acres

- (2) Does the proposed use meet the standards of this Chapter?

YES ☒ NO ☐

Why?

Section 26-960 authorizes the conditional use permit

- (3) Will the proposed use meet goals and policies adopted within the Crosslake Comprehensive Plan?

YES ☒ NO ☐

Why?

Section 26.90 Autho

- (4) Will the proposed use adversely affect property values and future development of the land in the surrounding neighborhood?

YES ☐ NO ☒

Why?

I own 140 Acres a road this and projected no impact as a accessory structure is not visible from any

- (5) Will the proposed negatively impact public utility, public services, roads and schools?

YES ☐ NO ☒

Why?

Because there no public services used on the property

- (6) Will the proposed use impact the environment adversely, considering its impact on groundwater, surface water and air quality?

YES ☐ NO ☒

Why?

see attached Stormwater use plan

- (7) Are the water supply, public sewer or subsurface sewage treatment system facilities, erosion control and stormwater management provided for pursuant to applicable standards of the Ordinance?

YES ☒ NO ☐

Why?

see variance packet Attached

City of Crosslake Planning Commission/Board of Adjustment

Conditional Use Permit Application

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YES ☐ NO ☐

Why?

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YES ☐ NO ☐

Why?

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YES ☐ NO ☐

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Why?

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YES ☐ NO ☐

Why?

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YES ☐ NO ☐

Why?