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 July 22, 2022 9:00 A.M.

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

### **PUBLIC HEARING NOTICE**

**Applicant:** Robert Herje

**Authorized Agent:** Kevin McCormick

Site Location: 34448 Duck Lane, Crosslake, MN 56442

### Variance for:

• Accessory structure size of 3,352.5 square feet where 1,200 square feet is allowed

### To construct:

• 3,352.5 square foot accessory structure including 2 covered entries

**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 (<a href="mailto:crosslake.net">crosslake.net</a>).

## Crosslake

### STAFF REPORT

Property Owner/Applicant: Robert Herje

Parcel Number(s): 14300737

Application Submitted: June 13, 2022

Action Deadline: August 11, 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

### Variance for:

• Accessory structure size of 3,352.5 square feet where 1,200 square feet is allowed

### **To construct:**

• 3,352.5 square foot accessory structure including 2 covered entries

**Current Zoning:** Shoreland District

### **Existing Impervious Coverage:**

### **Proposed Impervious Coverage:**

8.4%

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

### **Agencies Notified and Responses Received:**

County Highway Dept: N/A

DNR: No comment received before packet cutoff date

City Engineer: N/A Lake Association:

Crosslake Public Works: No comment received before packet cutoff date

Crosslake Park, Recreation & Library: N/A

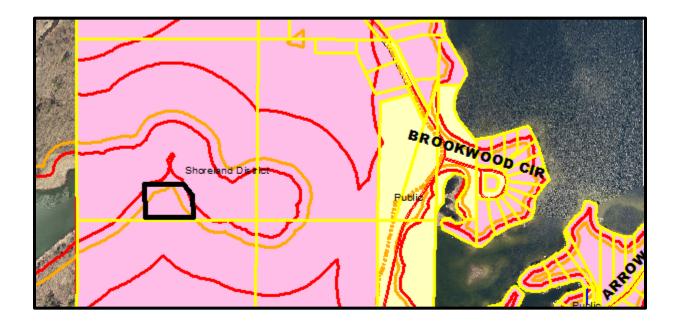
Concerned Parties: No comment received before packet cutoff date

### POSSIBLE MOTION:

To approve/table/deny the variance to allow:

- Accessory structure size of 3,352.5 square feet where 1,200 square feet is allowed To construct:
  - 3,352.5 square foot accessory structure including 2 covered entries

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



### Legend

- 0 Set  $\frac{5}{8}$  " Rebar Cap Number 15294
- Found Survey Monument
- ( Well
- (a) Sanitary Tank
- ET **Electrical Transformer**
- **Gravel Drive**
- Concrete Surface
- Structure Setback Lines Typical
- Flow Arrow
- × Spot Elevation

NW Corner NW - NW Point of Commencement

Monumented North Line NW 1/4 -NW 1/4

N 87°54'41" E 1330.17

WE TALL

# ertificate of Survey

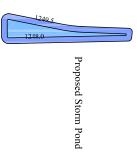
Part of Section 30 Township 137 Range 27 Crow Wing County, Minnesota Part of the NW  $\frac{1}{4}$  - NW  $\frac{1}{4}$ 

**Storm Water Calculations** 

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

Surveyors Notes:

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



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FEMA Flood Elevation is "Zone X areas of minimal flooding For purposes of this survey an elevation of 1216 has been used to determine the structure setback from Henry Lake

Two foot contours provided by Crow Wing County Lidar

Topographic contours adjusted to 1929 Datum Site Benchmark top of 5/8" rebar northeasterly boundary corner elevation 125.64 NGVD 1929 datum

င

No OHW has been established by the MN DNR

the 30' top of bluff setback

<u>ь</u>)

The property contains bluffs as indicated on the survey Natural Environment setback of 150' is more restrictive than

# Sideline structure setbacks 10' Project boundary and surrounding properties are icurrently zoned :Shoreland District" 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 Gravel Drive Existing Deck Existing Home Existing Concrete 2,529 Sq. Ft. +/-97 Sq. Ft. +/-1,039 Sq. Ft. +/-348 Sq. Ft. +/-2,862 Sq. Ft. +/-6,875 Sq. Ft. +/-

2 01₀73,00°, E 1318.48°

nented East Line NW 1/4 - NW 1/4

Total Impervious Surface

Existing Lot Area Total Impervious Surface  $\frac{6,875 \text{ Sq. Ft. } +/-}{81,173 \text{ Sq. Ft. } +/-} = 8.4\%$ 

2 05°08'54" E 1320.12"

Henry Lake Natural Environment Lake

Bluff Area

161.64' -S 02°08'54" E

Top of Law...,
Bluff Naurual Environment Lake

Henry Lake

Approximate Ordinary High Elevation 1216 (1929 p

487°40'48" E

500.00'

N 87°40'48" E 1312.61

Proposed 20' Wide Drive

20' ingress egress easement Doc. No. 0557455

eep Slope Area

Monumented South Line SW 1/4 -NW 1/4 ted South Line NW 1/4 -NW 1/4

SA LA LA

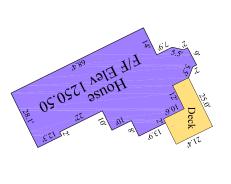
Wetlands Delineated on 06/13/22 by Brinks Wetland Serv Mitch Brinks Certified Wetland Delineator No. 1007—

Proposed Impervious Surface Calculations

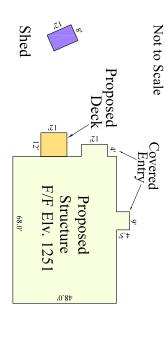
Existing Home Existing Lot Area 81,173 Sq. Ft. +/-

Shec Total Impervious Surface Proposed Deck Proposed Structure Existing Concrete Existing Gravel Drive Existing Deck 2,529 Sq. I 97 Sq. I 1,039 Sq. I 348 Sq. I 2,862 Sq. I 3,352.5 Sq. Ft. +/Ft. +/Ft. +/Ft. +/Ft. +/Ft. +/Ft. +/Ft. +/-

Total Impervious Surface Existing Lot Area 10,371.5 Sq. F 81,173 Sq. Ft. Ft. +/-t. +/-



# House Details



Property Owners: Robert & Laurie Herje

Property Address: 34448 Duck Lane

Property ID No. 14300737

Charles Control

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE THE SOUTH LINE OF THE NW ½ OF THE NW ½ TO HAVE AN ASSUMED BEARING OF NORTH 87 DEGREES 40 MINUTES 48 SECONDS EAST

described as follows: That part of the Northwest Quarter of the Northwest Quarter, Section 30, Township 137 North, Range 27 West, Crow Wing County, Minnesota, Deed of Record Document No.0557455

minutes 54 seconds East 240.00 feet to the point of beginning. seconds West from the point of beginning; thence South 02 degrees 08 less, to the intersection with a line bearing North 02 degrees 08 minutes 54 minutes 48 seconds East 500.00 feet to the point of beginning of the tract to Northwest Quarter a distance of 1299.02 feet; thence North 87 degrees 40 assumed bearing, along the West line of said Northwest Quarter of the Northwest Quarter; thence South 02 degrees 08 minutes 54 seconds East, Commencing at the Northwest corner of said Northwest Quarter of the 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; be herein described; thence North 87 degrees 40 minutes 48 seconds East hence South 87 degrees 40 minutes 48 seconds West 277.85 feet, more or

Subject to easements, restrictions and reservations of record.

Easement of Record

A 20.0 foot wide easement for ingress, egress and utility purposes over,

across that part of the Southwest Quarter of the Northwest Quarter and centerline the center line described as follows: that part of the Northwest Quarter of the Northwest Quarter, Section 30, To hip 137 North, Range 27 West, Crow Wing County, Minnesota, the

to the East having a radius 94.11 feet and a central angle of 98 degrees 29 minutes 25 seconds; thence North 54 degrees 55 minutes 08 seconds 200.96 feet; thence North 43 degrees 34 minutes 18 seconds West 49.73 feet; thence Northeasterly 161.78 feet along a tangential curve concave seconds; thence North 05 degrees 55 minutes 14 seconds East tangent to said last described curve 98.57 feet; thence Northwesterly 72.50 feet radius 78.89 feet and a central angle of 49 degrees 33 minutes 33 68.24 feet along a tangential curve concave to the Northwest having a East having a radius of 100.60 feet and a central angle of 108 degrees 36 03 degrees 09 minutes 04 seconds East tangent to last described curve 35.33 feet; thence Northwesterly 69.26 feet along a tangential curve South 86 degrees 22 minutes 52 seconds East tangent to said last Commencing at the Southeast comer of said Southwest Quarter of the Northwest Quarter; thence South 87 degrees 40 minutes 48 seconds degrees 18 minutes 01 seconds West tangent to said last described curve 102.34 feet; thence North 48 degrees 23 minutes 00 seconds West central angle of 60 degrees 13 minutes IS seconds; thence North 54 thence Northerly 190.68 feet along a tangential curve concave to the 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 and a central angle of 37 degrees 16 minutes 16 seconds; thence North of85.85 feet and a central angle 127 degrees 44 minutes 21 seconds; thence North 34 degrees 07 minutes 13 seconds West tangent to said described curve 31.15 feet; thence Northeasterly and Northerly 191.39 44 minutes 30 seconds East for a chord distance of 90.11 feet; thence 51 degrees 45 minutes 17 seconds, a chord bearing of North 67 degrees described; thence Northeasterly 93.24 feet along a non-tangential curve concave to the Southeast having a radius 103.23 feet, a central angle of 50 minutes 21 seconds East 162.84 feet and said centerline there along a curve concave to the Southwest having a radius 68.97 feet and a East tangent to last described curve 5.00 feet; thence Northeasterly minutes 01 seconds; thence North 55 degrees 28 minutes 47 seconds minutes 14 seconds West tangent to said last described curve 32.75 feet; last described curve 62.15 feet; thence Northerly 154.32 feet along a tangential curve concave to the Northeast having a radius of 237.23 feet feet along a tangential curve concave to the Northwest having a radius East tangent to last described curve80.74 feet; thence North 13 degrees West 466.29 feet to the point of beginning of the centerline to be herein

Sheet 1 of 2

Survey Prepared for: Robert & Laurie Herje Certificate of Survey

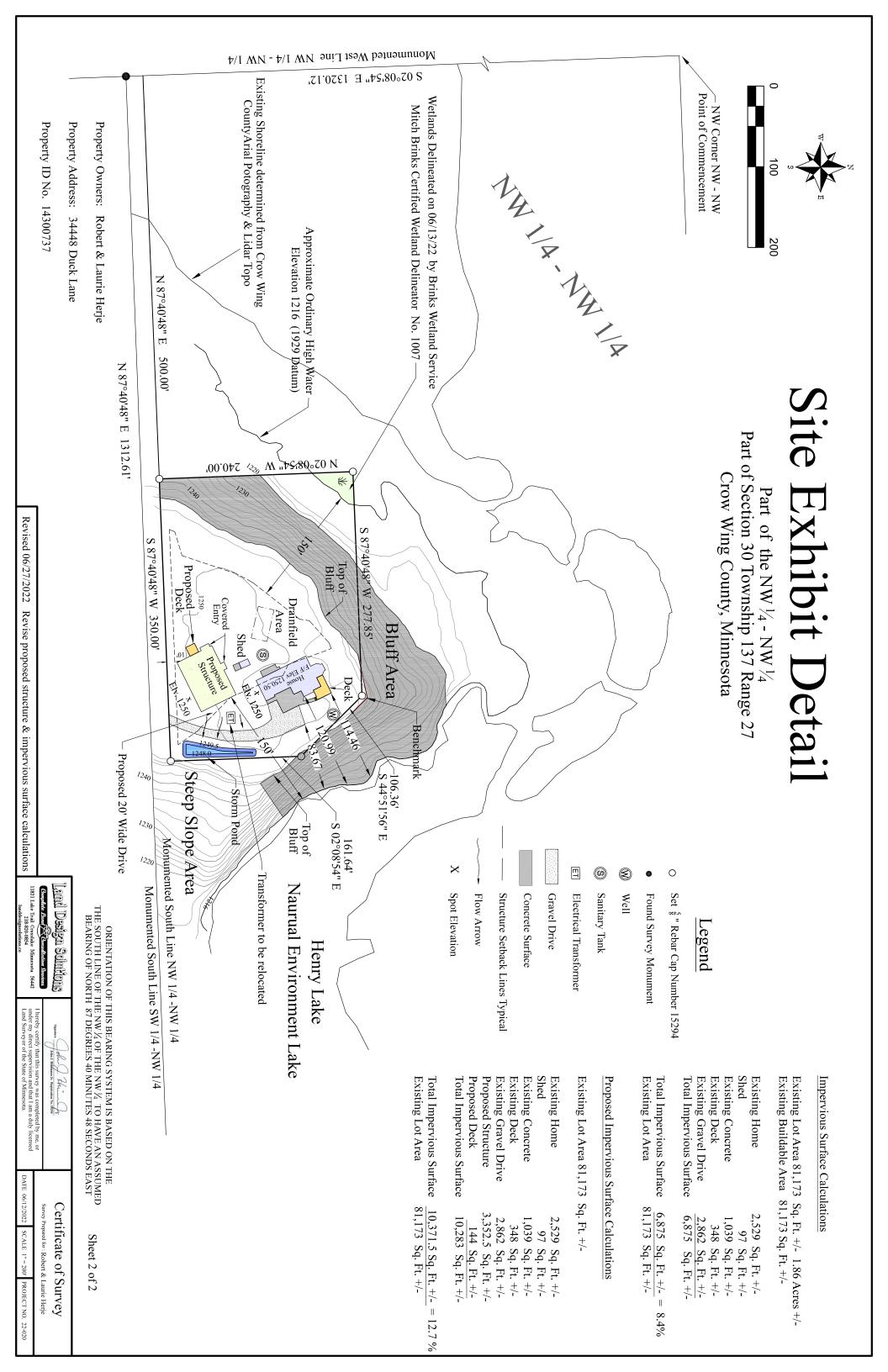
Complete Land Conss Minnesota 56442

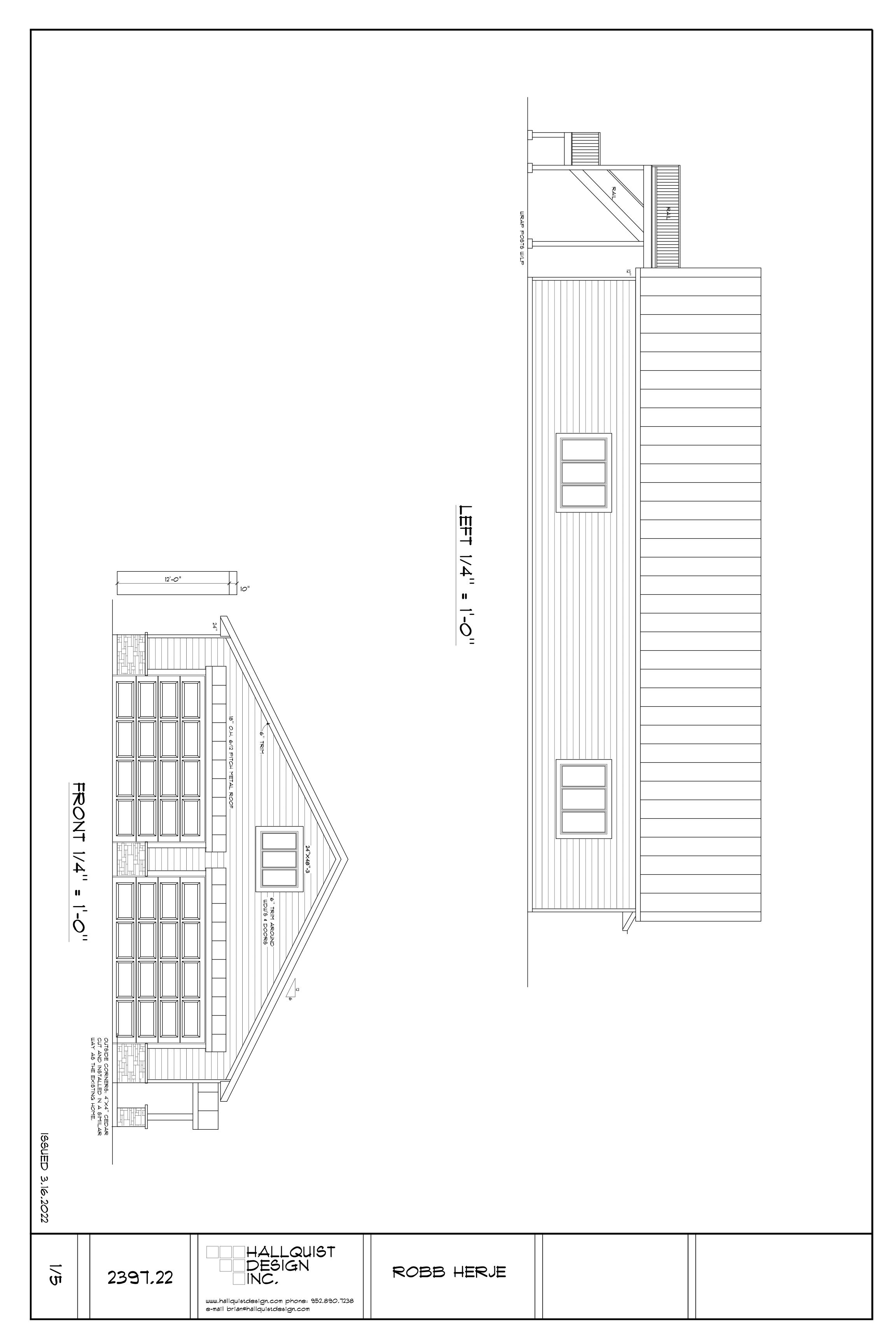
and Design

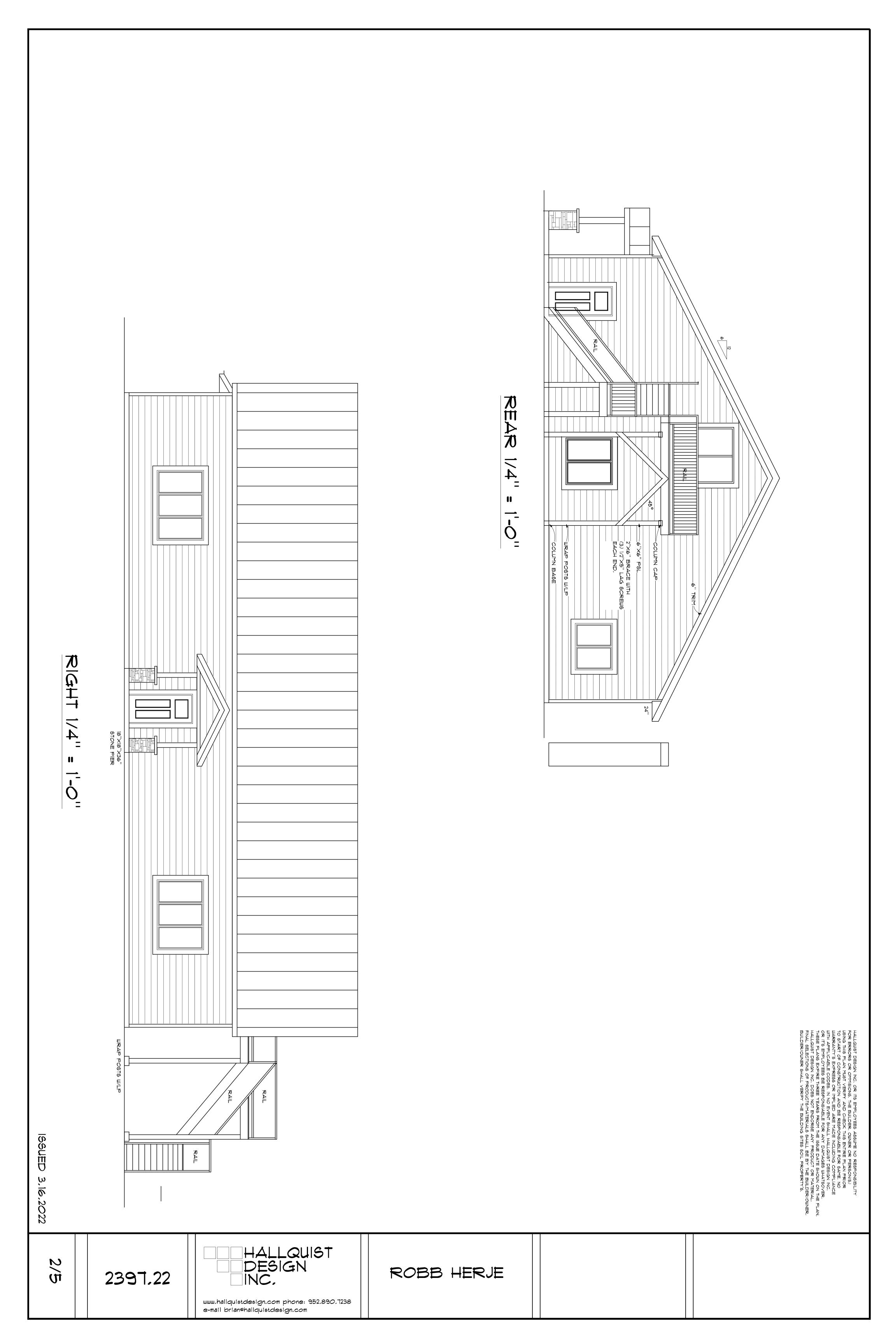
Solutions

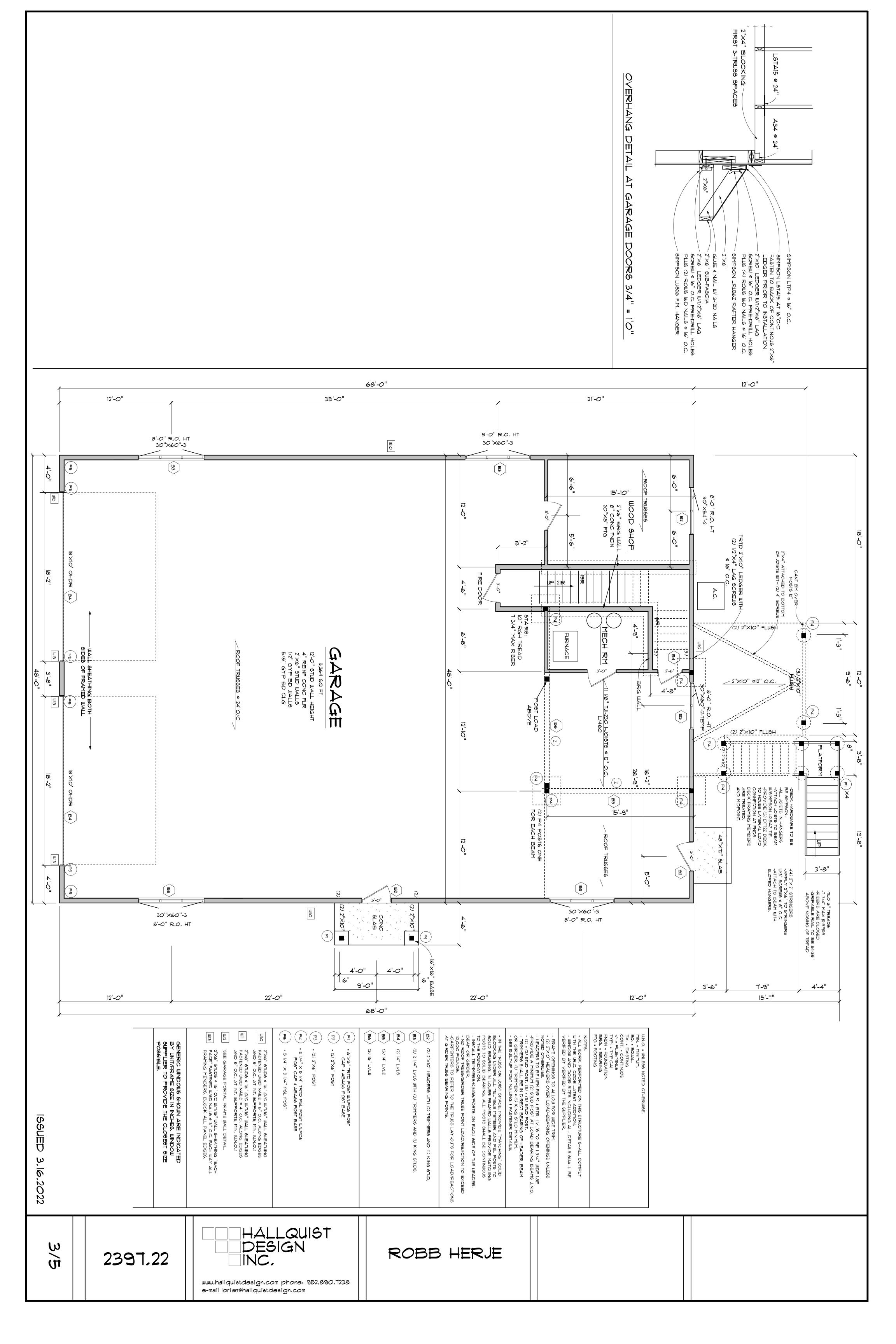
that this survey was completed by me, or supervision and that I am a duly licensed of the State of Minnesota.

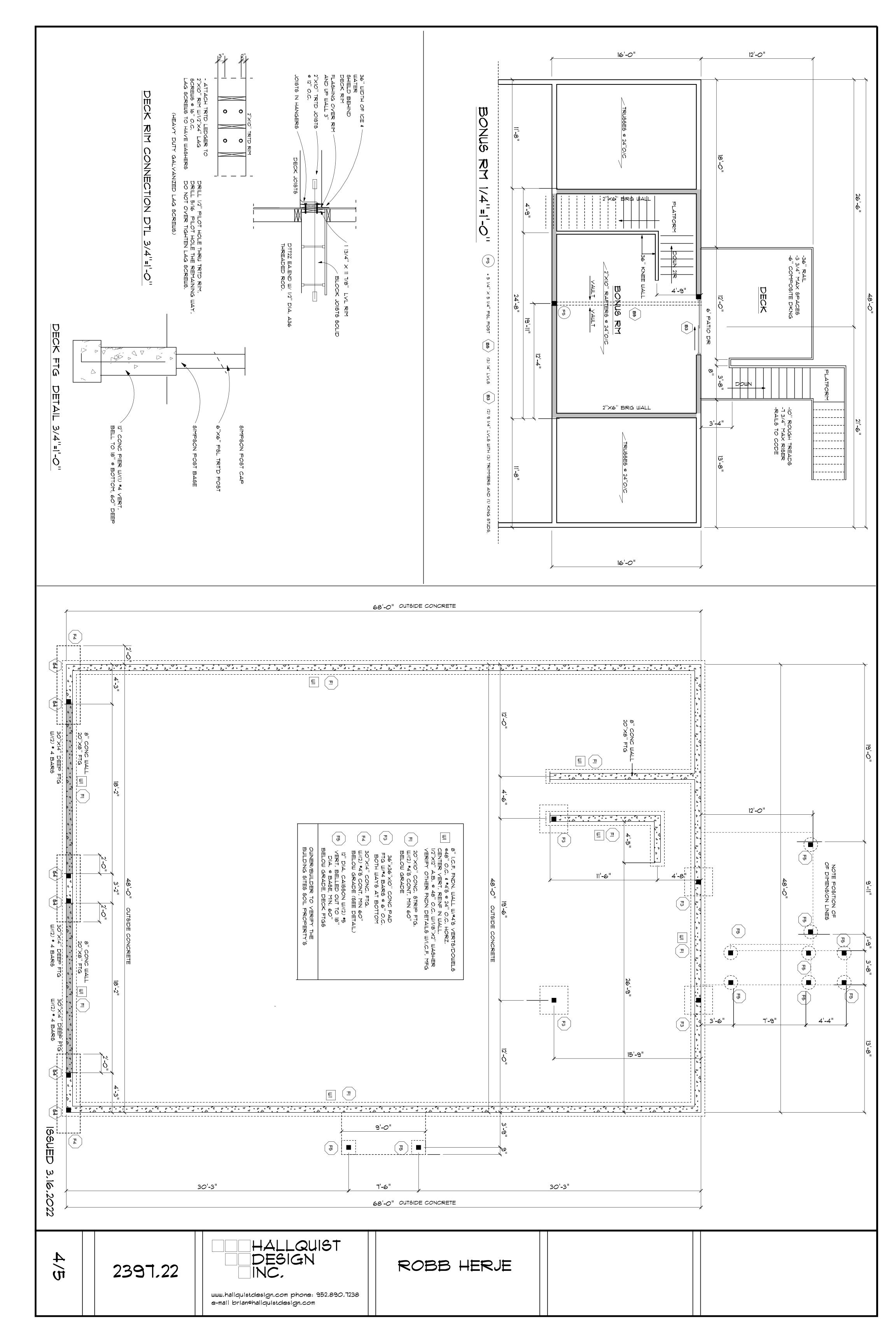
PROJECT NO. 22-02

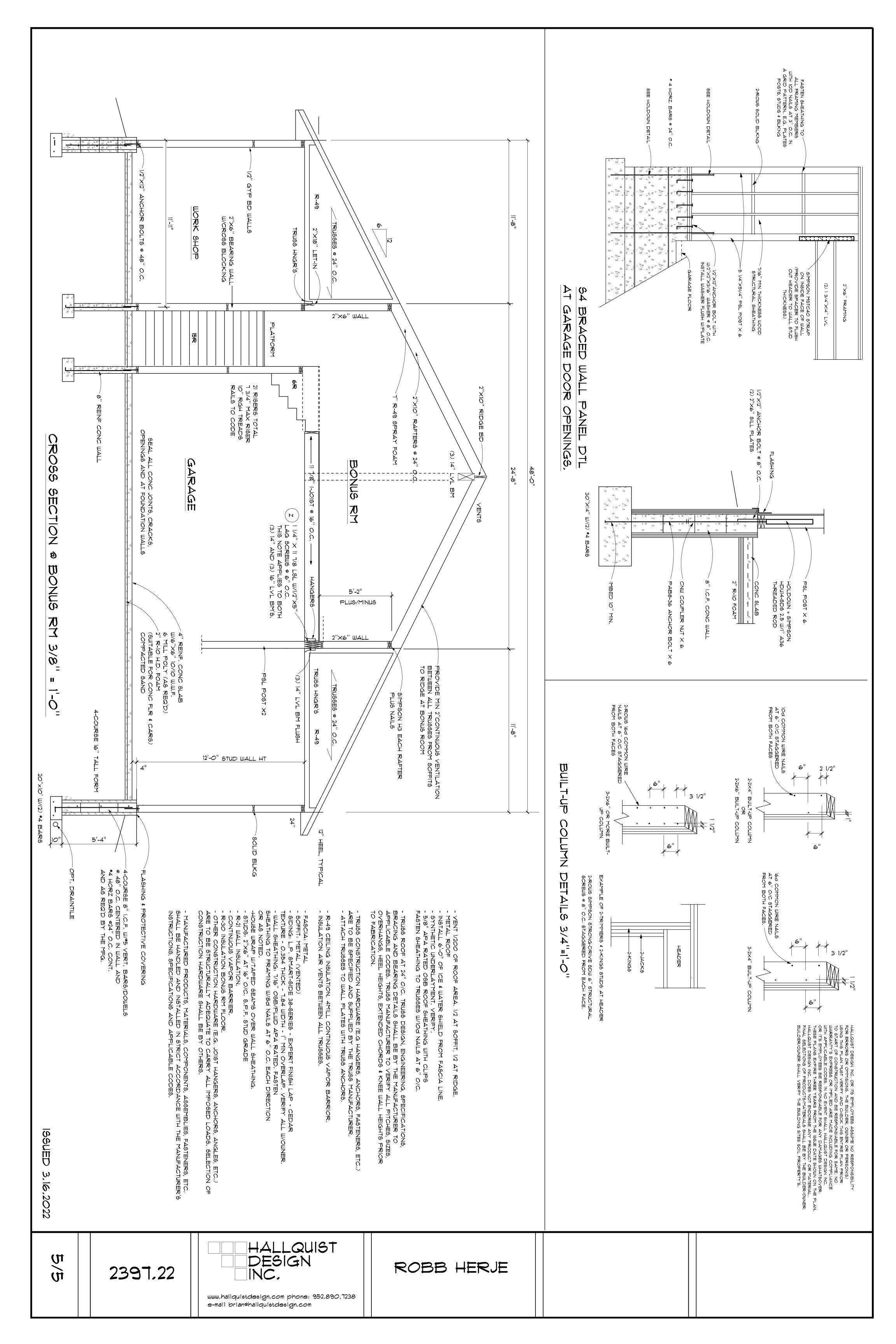












From: Robb Herje

To: "crosslakepz@crosslake.net"

Subject: Cut & Fill Herje Project

**Date:** Tuesday, June 28, 2022 10:46:44 AM

### Cheryl,

Per you request, I contacted Isaac Wannebo of Wannebo Excavating. He indicated that other than stumps, he will not be taking any material out. In terms of fill, he indicated that he will be hauling in less than 50 yards.

Please let me know what else you need.

Thank you for bringing this to my attention and for letting me know that we needed to do this for the variance application.

Please let me know that you have received this email.

### Robb Herje

Senior Vice President, Investments



Direct (612) 851-5993 | TF (800) 851-2920 | Cell (612) 532-0703 | Fax (612) 851-5987

Mail 150 South Fifth Street, Suite 3300 | Minneapolis, MN 55402

Email <a href="mailto:rherje@northlandsecurities.com">rherje@northlandsecurities.com</a>

Web NorthlandSecurities.com

Please consider the environment before printing this email.

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Member FINRA, MSRB, and SIPC

www.northlandsecurities.com

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



June 13, 2022

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

Re: Wetland Delineation for Herje Site, PID 14300737

On Monday, June 13, 2022, I visited the 2+/- acre Herje site located at 34448 Duck Lane in the City of Crosslake (*PIN: 14300737*). 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 was observed in the far NW part of the site (most of which was located offsite).

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.

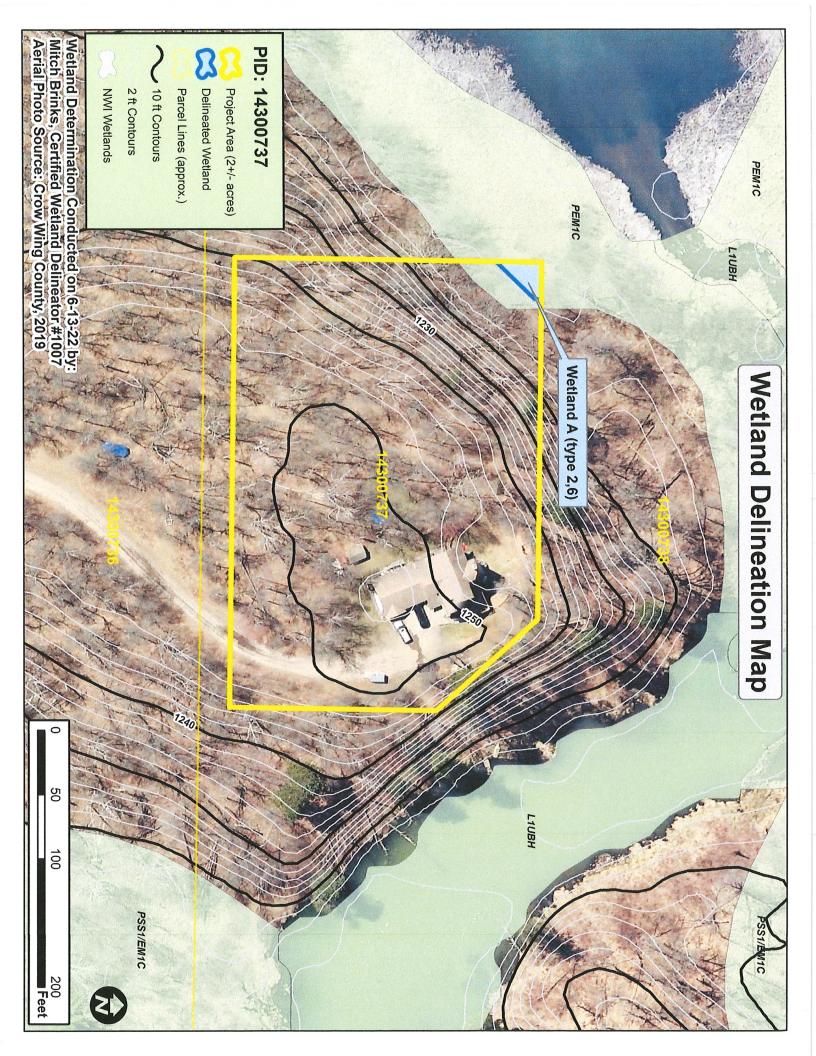
Sincerely,

Mitch Brinks

Minnesota Certified Delineator #1007

218-820-9502

mapsbymitch@gmail.com





### Variance Application

Planning and Zoning Department
13888 Daggett Bay Road, Crosslake, MN 56442
218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

	ermit Number: 220090V
Property Owner(s): Robert Herje \$500,00	220030
Mailing Address: 3345 Zircon Lane N Plymouth	<u>Variances</u> (Check applicable requests)
Site Address: 34448 Duck Lane Crosslake, MN	☐ Lake/River Setback
Phone Number: 612 537 - 0703 56447	☐ Road Right-of-Way Setback
E-Mail Address: therjee north land securities. com	☐ Bluff Setback
Parcel Number(s): 14300737	☐ Side Yard Setback
Legal Description: NW /4 of NW /4	☐ Wetland Setback
Sec_30 Twp 137 Rge 26 27 28	☐ Septic Tank Setback
Lake/River Name: Lake Henry = NE lake	☐ Septic Drainfield Setback
Do you own land adjacent to this parcel(s)?Yes No	☐ Impervious Coverage
If yes list Parcel Number(s) 14300738, 14300736	Accessory Structure
Authorized Agent: Kevin McCormick	☐ Building Height
Agent Address: 11821 LAKE TRAIL CRUSSLARE	☐ Patio Size
Agent Phone Number: (218)820-085 4	Accy (Size) Structur
Signature of Property Owner(s)	Date 6-9-2022
Signature of Authorized Agent(s)	Date
<ul> <li>All applications must be accompanied by a signed Certificate of Survey.</li> <li>Fee \$500 for Residential and Commercial Payable to "City of Crossles".</li> <li>No decisions were made on an applicant's request at the DRT meeting after DRT does not constitute approval. Approval or denial of application Planning Commission/Board of Adjustment at a public meeting as percity of Crosslake Land Use Ordinance.</li> </ul>	lake" ng. Submittal of an application cations is determined by the
For Office Use: Application accepted by  Date 6/13/22  Lake Class ME  Septic: Compliance 6/12  SSTS Design	Land Use District 5 L
Lake Class NE Septic: Compliance 6   2 SSTS Design	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 D  Why: Need more Storage and need a Larger garage for my Boxts; wood working etc
4.	Will the issuance of a Variance maintain the essential character of the locality?  Yes No D  Why: A beglutely because I built for the middle of  140 Acres. Building mill beas freelocally pleasing
5.	Is the need for a Variance due to circumstances unique to the property and not created by the property owner?  Yes \( \text{No} \)  Why: I am able to exceed All Getback regulberrant 5 and just need a larger garage because of my hears
6.	Does the need for a Variance involve more than economic considerations?  Yes No D  Why: It is critical that I am able to have places for my Bosts trailers to wood shop and also will finally be able to park in by Attached Carage Currently which is full



### 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.

there are "praction Land Use Ordina	cal difficulties" in complying with regulations and standards set forth in the nce.
1. Is the Variance Yes Why:	re request in harmony with the purposes and intent of the Ordinance?  No
2. Is the Variance Yes Why:	e consistent with the Comprehensive Plan? No
3. Is the property the Land Use Yes Why:	y owner proposing to use the property in a reasonable manner not permitted by Ordinance?  No

4.		iance of a Varia No	nce maintain th	e essential chara	acter of the locality	<sub>7</sub> ?
	Is the need e property ov Yes Why?		due to circumst	ances unique to	the property and r	not created by
6.		ed for a Varian No	ce involve more	than economic	considerations?	