

City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



13888 Daggett Bay Rd  
Crosslake, Minnesota 56442  
[www.cityofcrosslake.org](http://www.cityofcrosslake.org)

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**CITY OF CROSSLAKE  
PLANNING COMMISSION/BOARD OF ADJUSTMENT**

**August 26, 2022**

**9:00 A.M.**

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

**PUBLIC HEARING NOTICE**

**Applicant:** Jay E & Lisa R Kent

**Authorized Agent:** N/A

**Site Location:** 38705 South Landing, Crosslake, MN 56442 on Island Lake-GD

**Variance for:**

- Road right-of-way (ROW) setback of 32 feet where 35 feet are required
- Water oriented accessory structure (WOAS) of 308 square feet where 120 square feet are allowed
- WOAS deck where only one use is allowed
- WOAS roof pitch of 0:0 where 4:12 pitch is required

**To construct and allow:**

- WOAS of 308 square feet
- WOAS deck on the entire top of the structure – 308 square feet
- A deck as the second WOAS use

**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](mailto:crosslakepz@crosslake.net)).



## STAFF REPORT

Property Owner/Applicant: Jay E & Lisa R Kent

Parcel Number(s): 14050719, 14050720

Application Submitted: June 23, 2022

Action Deadline: August 20, 2022

City 60 Day Extension Letter sent / Deadline: 6-23-2022 / 9-23-2022

Applicant Extension Received / Request: 6-23-2022 / 9-23-2022

City Council Date: N/A

**Authorized Agent:** N/A

**Variance for:**

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- A deck as the second WOAS use

**Current Zoning:** Shoreland District

**Existing Impervious Coverage:**

12.2%

**Proposed Impervious Coverage:**

12.0%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 4-18-2022

**Parcel History:**

- July 1997 – New septic
- June 2003 - Replace existing 8' x 20' deck
- A compliant septic compliance inspection dated 4-18-2022

**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: Comment(s) received**

**POSSIBLE MOTION:**

To approve/table/deny the variance to allow:

- Road right-of-way (ROW) setback of 32 feet where 35 feet are required
- Water oriented accessory structure (WOAS) of 308 square feet where 120 square feet are allowed
- WOAS deck where only one use is allowed
- WOAS roof pitch of 0:0 where 4:12 pitch is required

**To construct and allow:**

- WOAS of 308 square feet
- WOAS deck on the entire top of the structure – 308 square feet
- A deck as the second WOAS use

As shown on the certificate of survey dated 6-23-2022





**LOT 23**

WANT-AT-TAN BEACH ENTRANCE ADDITION

**Island Lake**  
(General Development Classification)  
Normal pool elevation = 1230.1 (NAVD88)  
BFE = 1231.61 (NAVD88)

House	=	1,200 Sq. Ft.
Garage	=	860 Sq. Ft.
Boathouse	=	308 Sq. Ft.
Concrete	=	<u>1,749 Sq. Ft.</u>
<b>Total</b>	=	<b>4,117 Sq. Ft. (12.0% Impervious Coverage)</b>

- ☐ SET IRON PIPE WITH CAP STAMPED "KRAMER 23668"
- ☒ FOUND IRON MONUMENT
- ☐ COMPUTED POSITION
- ☒ GOVERNMENT SECTION CORNER MONUMENT
- ☒ SET MAGNETIC "PK" NAIL

**KLD**

1120 Industrial Park Road  
Brainerd, MN 56401  
218-829-6333

13 North 11th Avenue  
St. Cloud, MN 56303  
320-299-1266

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**KRAMER LEAS DELEO**  
SURVEYING • ENGINEERING • PLANNING  
BRAINERD ST. CLOUD

Signature: James Krumer 11/10/2021  
James Krumer, MN License No. 23668 Date

PROJECT NO. KENTJ2101

Jay Kent  
Section 05, Township 137 North, Range 27 West  
Crow Wing County, Minnesota

Sheet No. 1 of 1



SWMP

**Island Lake**

(General Development Classification)  
Normal pool elevation = 1230.1 (NAVDB88)  
BFE = 1231.61 (NAVDB88)

**Document Number 0657415:**

1g County, Minnesota

ment Lots Three (3) and Four (4), Section Five (5), Township One Hundred Thirty-  
Twenty-seven (27), described as follows, to-wit: Commencing at a point on the east  
ment Lot 4, which point of beginning is 156.4 feet South of the Northeast corner of  
t 4; thence West on a line parallel to the north line of said Government Lot 4 for a  
more or less, to the shore of Island Lake; thence Northerly along the shore of Island  
of 200 feet; thence East on a line parallel to the North line of said Government Lot 4,  
t, more or less, to the East line of said Government Lot 3; thence South on the East  
ment Lots 3 and 4, a distance of 199 feet, more or less, to the place of beginning.

**Document Number 952520:**

ment Lot Four (4) in Section Five (5), Township One Hundred Thirty-seven (137)  
y-seven (27) West described as follows, to-wit: Beginning at a point on the East line  
Lot Four (4) 156.4 feet South of the Northeast corner of said Government Lot Four  
along said East line for a distance of 159.3 feet; thence West 70 feet, more or less, to  
Lake and at right angles thereto; thence North along the shore of Island Lake for a  
and thence East for a distance of 95 feet, more or less, to the place of beginning,  
Minnesota.

*4 inch deep river rock landscaping  
4 feet wide for storm water drainage,  
capture*

s for the subject property is:

g  
2

for the subject property is 14050720 and 14050719.

lassification for the subject property is Shoreland District.

ompleted without the benefit of a title commitment or title opinion, there may be  
miting factors that affect the subject property that are not shown on this survey.

/ was reviewed for the existence of wetlands on September 11, 2021, Ben Meister,  
Delineator number 1031.

**ation (not including right-of-way)**

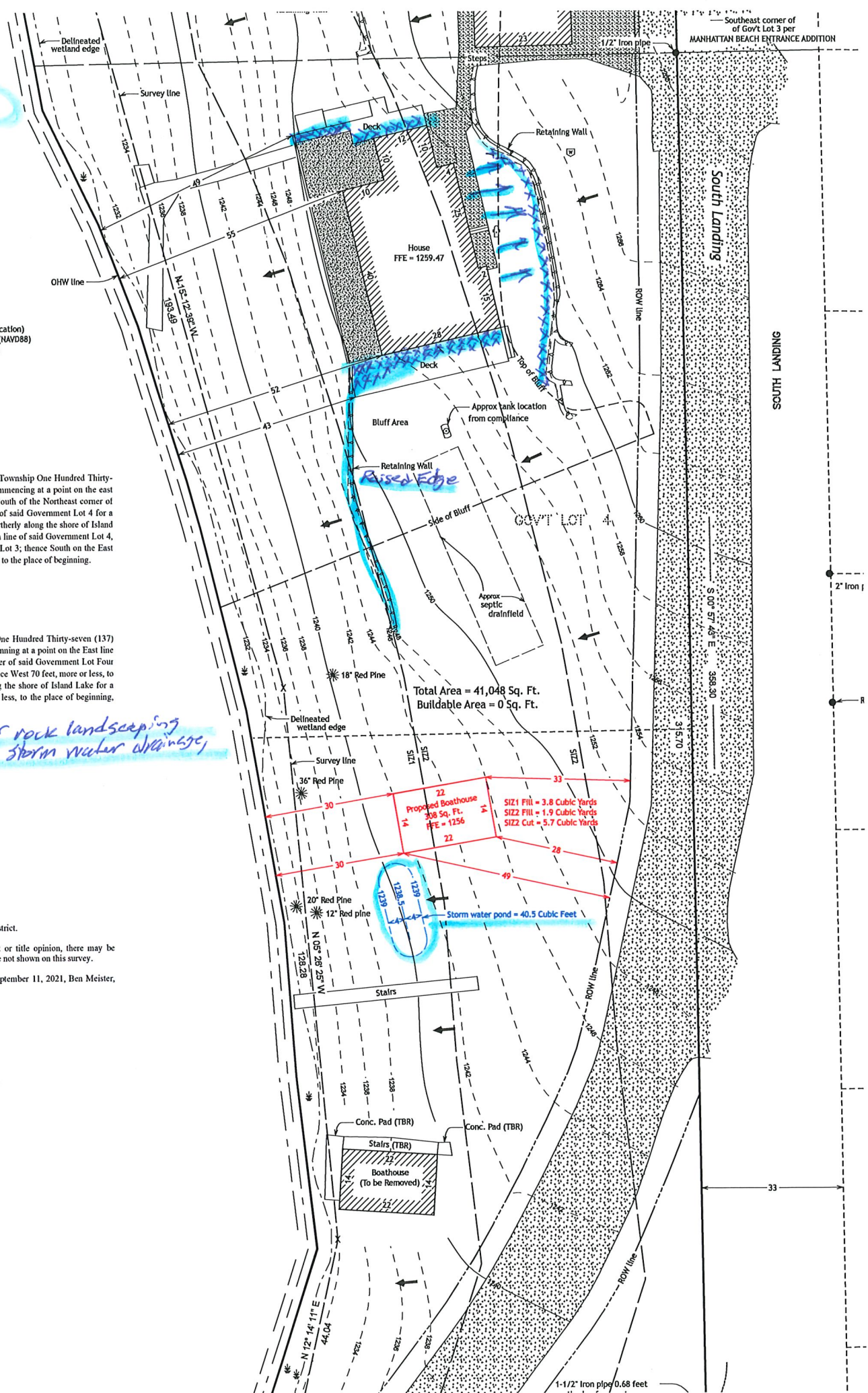
cluding right-of-way) = 34,314 Sq. Ft.

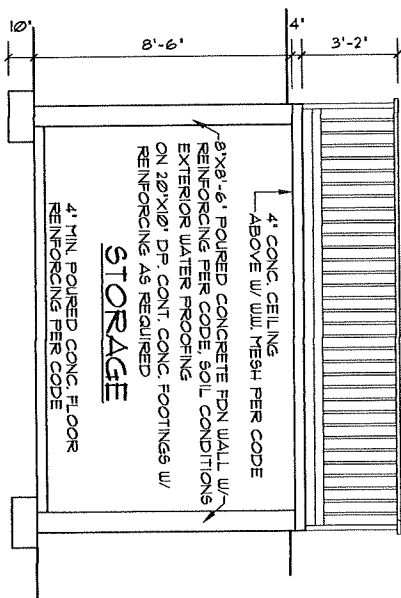
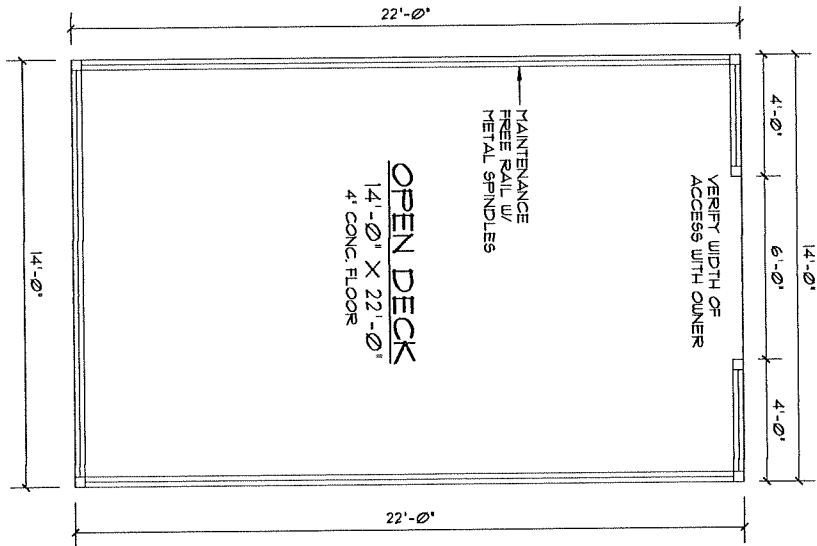
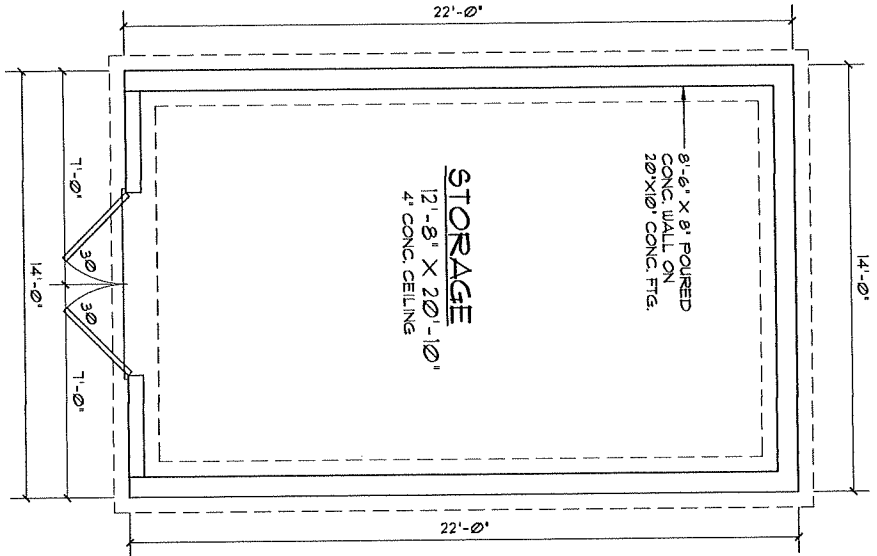
**coverage (not including right-of-way)**

1,200 Sq. Ft.  
860 Sq. Ft.  
308 Sq. Ft.  
1,812 Sq. Ft.  
4,180 Sq. Ft. (12.2% Impervious Coverage)

**s coverage (not including right-of-way)**

1,200 Sq. Ft.  
860 Sq. Ft.  
308 Sq. Ft.  
1,749 Sq. Ft.  
4,117 Sq. Ft. (12.0% Impervious Coverage)





DATE	4/12/01
PROJECT	44100021
DESIGNER	TP
CHECKED	
DATE	7/10/02
DESIGNED	
CONSTRUCTED	
BOAT HOUSE PLAN	
A-2	

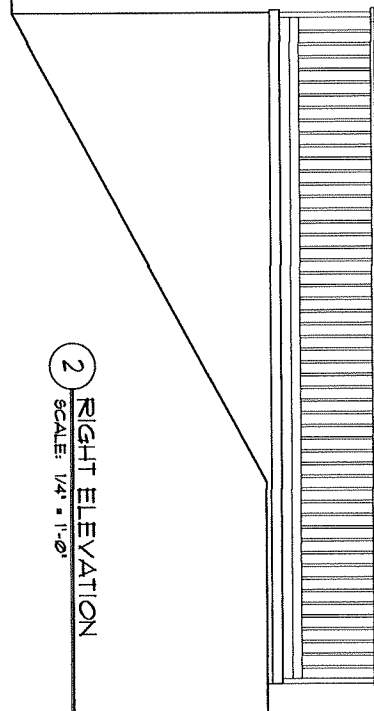
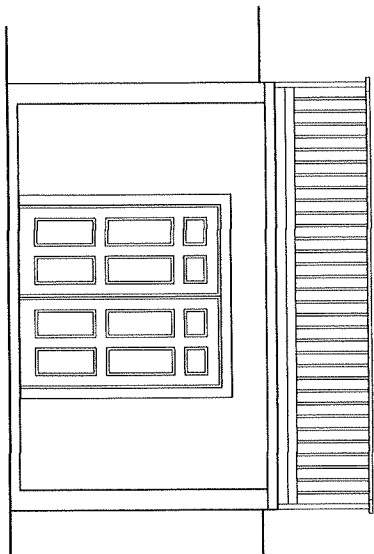
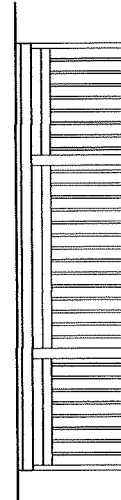
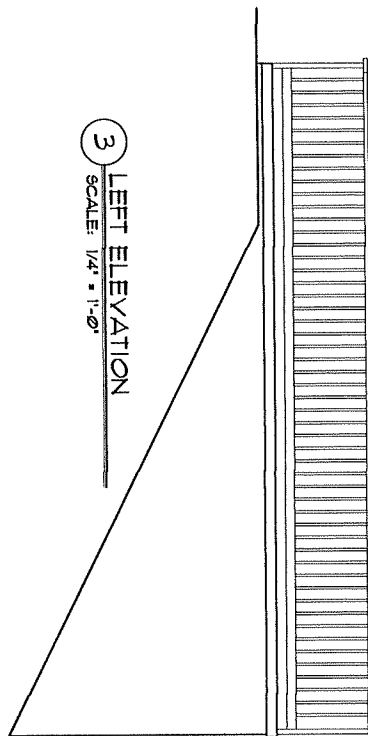
JAY & LISA KENT  
KENT BOAT HOUSE

BOAT HOUSE PLAN

**The Design Team**  
Home Design Specialists

8455 18th Street SE, Bl. Court, MN 55304  
Phone: (320) 253-1617 Fax: (320) 252-1616

**DISCLAIMER OF WARRANTIES**  
The Design Team warrants that the design and construction of the project shall conform to the applicable building codes and standards in effect at the time of the design and construction. The Design Team does not warrant that the design and construction of the project shall conform to the applicable building codes and standards in effect at the time of the design and construction. The Design Team does not warrant that the design and construction of the project shall conform to the applicable building codes and standards in effect at the time of the design and construction.



**DISCLAIMER  
OF  
WARRANTIES**

upon request by attorneys who are not licensed in the jurisdiction. The regulated entities or practitioners are required to provide the information to the attorneys and are not held liable for the information provided. The attorneys are required to provide the information to the court and are not held liable for the information provided. The attorneys are required to provide the information to the court and are not held liable for the information provided.

**The DESIGN TEAM**  
Home Design Specialists

2455 18th Street SE, St. Cloud, MN 56304  
Phone: (320) 252-1517 Fax: (320) 252-1618

### ELEVATIONS

JULY 1978					
4420001					
PLAT NUMBER 44200001					
DATE		SURV	CORR		
JULY 72		TYP			
REMARKS					
REMARKS					
REMARKS					
REMARKS					
ELEVATIONS	A-1				
COMPILED BY - JAMES					

Date: 6/23/2022

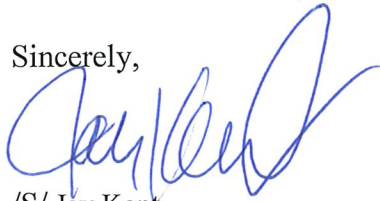
Planning & Zoning Administrator  
City of Crosslake  
*13888 Daggett Bay Road*  
*Crosslake, MN 56442*

Dear Planning & Zoning Administrator:

On 6-23-2022 I submitted an application for a variance request at 38705 South Landing Crosslake, MN.

The 60-day period under § 15.99 for approving or denying the applications will end on 8/20/22. I hereby waive the right to have the City act on the application by this date and agree that the City may have until 9-23-2022 to act on the application.

Sincerely,



/S/ Jay Kent  
Applicant



**From:** [Ellyn Rhein](#)  
**To:** [crosslakepz@crosslake.net](mailto:crosslakepz@crosslake.net)  
**Subject:** Jay E & Lisa R Kent Variance at 38705 South Landing  
**Date:** Saturday, August 13, 2022 9:52:23 AM

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I received your letter about the Kent's request. I live on the corner of Cool Haven Lane and South Landing next to the Kent's. I have no problem with the variance and their construction plans. I welcome the improvement to the neighborhood.

Ellyn Rhein  
12977 Cool Haven Lane





## 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: Demolition & removal of existing bathhouse structure located on water's edge and rebuild/relocate exact replica to new location on lot to minimize shoreline and road easement encroachment. The property is a narrow (road to shoreline) lot which makes meeting setbacks for this structure not possible

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

Yes ☒ No ☐

Why: There will be no change in structural dimension, shape and elevation. The structure will appear on the property like new to the original bathhouse.

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

Yes ☒ No ☐

Why: The size and shape of the property is such that the current bathhouse structure encroaches on both the road and shoreline setbacks greatly. Relocating a replica structure on the lot to a place that balances but remarkably decreases encroachment on both road & shoreline (setbacks).

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

Yes ☒ No ☐

Why: By relocating the bathhouse structure there will be less encroachment on both shoreline & road setbacks.



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: