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 October 27, 2023 9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: Bobbie D Morlock

Authorized Agent: N/A

Site Location: 37220 Milinda Shores Rd, Crosslake, MN 56442 on Rush Lake - GD

Variance for:

- Lake setback of 25.4 feet where 75 feet is required to proposed dwelling addition
- Road right-of-way setback of 20.2 feet where 35 feet is required to proposed dwelling addition

To construct:

• 686 square foot second story dwelling addition above the attached garage

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: Bobbie D Morlock

Parcel Number(s): 14070651

Application Submitted: September 8, 2023

Action Deadline: November 6, 2023

City 60 Day Extension Letter sent / Deadline: NA / NA

Applicant Extension Received / Request: NA / NA

City Council Date: NA

Authorized Agent: N/A

Variance for:

- Lake setback of 25.4 feet where 75 feet is required to proposed dwelling addition
- Road right-of-way setback of 20.2 feet where 35 feet is required to proposed dwelling addition

To construct:

• 686 square foot second story dwelling addition above the attached garage

Current Zoning: Shoreland District

17.1%

| Existing Impervious Coverage: | Proposed Impervious Coverage: |
|--------------------------------------|--------------------------------------|
| | |

17.1%

- A stormwater management plan was submitted with the variance application
- Compliant septic compliance inspection on file dated 8-26-2022

Parcel History:

- October 1973 complete house
- August 1976 1000 septic tank; 150' drainfield
- May 1984 extend deck & screen in part of deck
- June 1985 26x26 garage
- August 2002 10x12 shed
- October 2006 Install septic system by Wannebo Excavating
- April 2007 -patio, wood walkway, beach, boulder retaining wall, replacement of deck/porch
- July 2007 fence on north side of property
- July 27, 2000 LOMA

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:

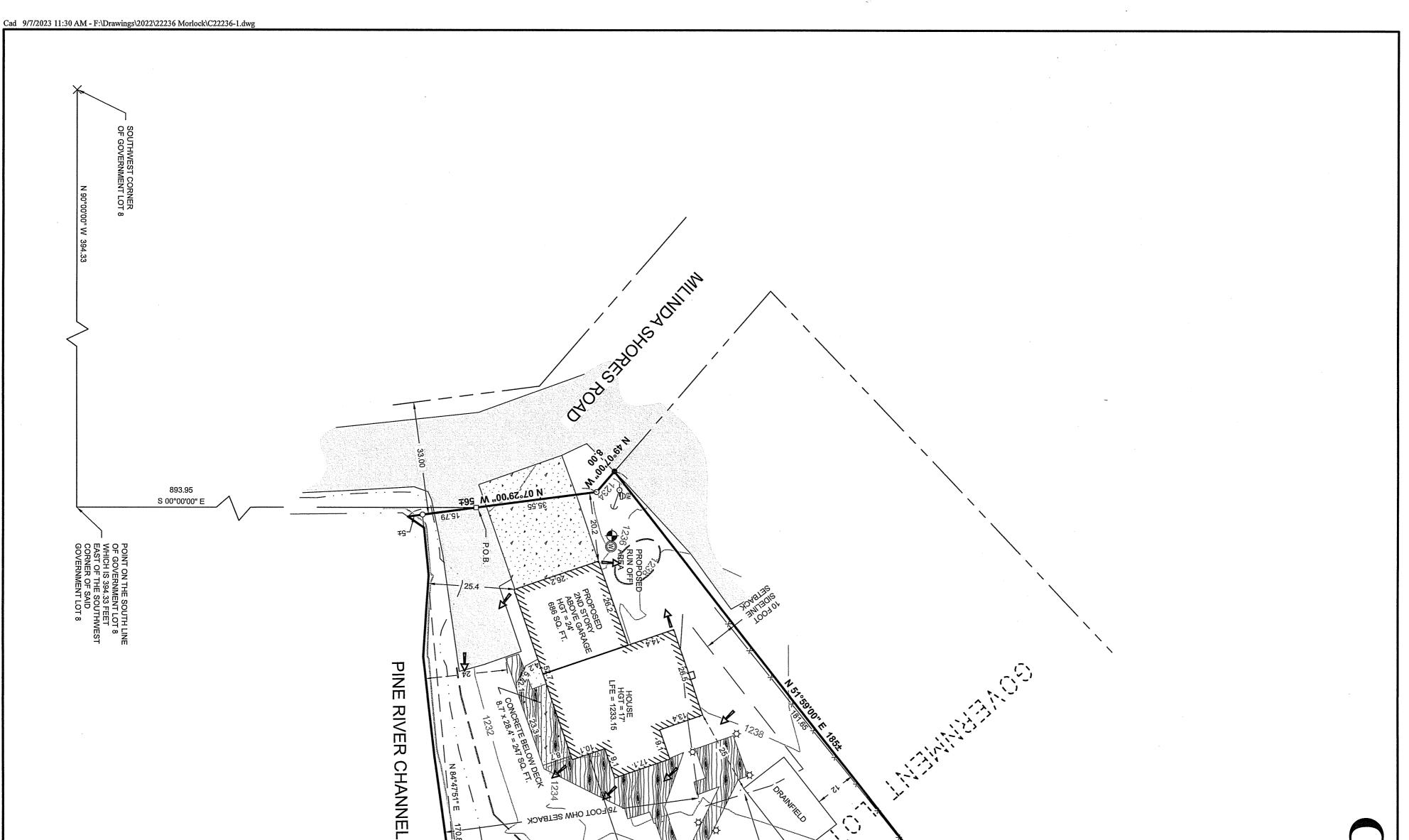
- Lake setback of 25.4 feet where 75 feet is required to proposed dwelling addition
- Road right-of-way setback of 20.2 feet where 35 feet is required to proposed dwelling addition

To construct:

• 686 square foot second story dwelling addition above the attached garage

As shown on the certificate of survey dated 9-7-2023





ERI $\left(\begin{array}{c} \\ \end{array} \right)$ **JH**SU RVEY

PART OF GOVERNMENT LOT 8, SECTION 7, TOWNSHIP 137 NORTH, RANGE 27 WEST, TOTAL AREA = 20,768 SQ. FT. ± / 0.48 ACRES ± BUILDABLE AREA = 962 SQ. FT. **CROW WING COUNTY, MINNESOTA**

RUSH LAKE GENERAL DEVELOPMENT CLASSIFICATION NORMAL RESERVOIR POOL ELEVATION = 1229.57

100 YEAR FLOOD ELEVATION = 1231.00 HIGHEST KNOWN ELEVATION = 1234.56

INFORMATION OBTAINED FROM CORPS OF ENGINEERS LAKE ELEVATION = 1229.32 ON 09/13/22 NGVD 29 DATUM

1232

>

LEGAL DESCRIPTION PER DOC#07

Exhibit A

EXAMPLY CROW WING COUNTY That part of Government Lot Eight (8), Section Seven (7), Township One Hundred Thirty-seven (137), Range Twenty-seven (27), described as follows: Beginning at a point which is 893.95 feet due North from a point on the South line of said Gov. Lot 8 which is 394.33 feet East of the Southwest corner of said Government Lot 8 as measured along the South line thereof, thence running North 7 degrees 29 minutes West 35.55 feet to a point which is 392.20 feet due North from a point on the South line of said Gov. Lot 8 which point is 389.70 feet East of the Southwest corner of said Gov. Lot 8 which point is 389.70 feet East of the Southwest corner of said Gov. Lot 8 as measured along the South line thereof, thence running North 49 degrees 07 minutes West 8 feet to a point which is 934.44 feet due North from a point on the South line thereof, thence running North 51 degrees 59 minutes East 185.25 feet more or less to the Southwesterly Shoreline of the Northerly shoreline of the Channel, thence Southeasterly along said Northerly shoreline to its intersection with the Northerly shoreline of the Channel as constructed between Hidden Lake and the Pine River Channel thence running Westerly along said Northerly shoreline it is intersection with a line bearing South 7 degrees 29 minutes East from the point of beginning, thence running North 7 degrees 29 minutes West 41.50 feet more or less to the point of beginning. ABSTRACT PROPERTY

NOTES:

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75 FOOT OHN

SURVEY LINE

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OHW AS LOCATED ON 09-13-22

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1236

1234

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- 6 <u>5</u> 4
- ?
- No wetlands were found on 08/21/22 at the site per Ben Meister, Meister Envi MN Certified Wetland Delineator #1031. Approximate location of septic system per sketch prepared by Seth Gravdahl, Underground Designs. All proposed overhangs do not exceed 3'.

8

- 9.

Tota **IMPERVIOUS CALCULATIONS**

| | | | Dercent |
|---------------------|----------|---------|------------|
| EXISTING | AREA | | Impervious |
| | (sq.ft.) | (94.11) | (sq.ft) |
| House | 1,915 | 20,768 | 9.2% |
| Concrete and Pavers | 857 | 20,768 | 4.1% |
| Bituminous | 772 | 20,768 | 3.7% |
| a | 3,544 | 20,768 | 17.1% |

| | Bituminous | Concrete and Pavers | House | | EXISTING | |
|--------|------------|---------------------|--------|----------|----------|------------|
| 3,544 | 772 | 857 | 1,915 | (sq.ft.) | AREA | IMPERVIOUS |
| 20,768 | 20,768 | 20,768 | 20,768 | (od.ii) | (sn ff) | Net Area |
| 17.1 | 3.7% | 4.19 | 9.2% | (sq.f | Impervi | Perce |

BALANCE OF REQUIRED RUN OFF AREA WILL BE RETAINED BY THE 1' BERM TOTAL RUN OFF STORAGE PROPOSED = 300 CU. FT.

TOP SURFACE AREA = 126 SQ. FT. BOTTOM SURFACE AREA = 31 SQ. FT. 1' DEEP WITH 3:1 SIDE SLOPES TOTAL RUN OFF STORAGE PROPOSED = 79 CU. FT.

PROPOSED RUN OFF AREA

Total Impervious Surface Area3,544 sq. ft.X0.0833 ft.=295 cu. ft.(from table above)

RUN OFF CALCULATIONS

88

1230

N'HIGH BERN

BFE = 1231.00

BEACH

3.3

TOMEX

ZONEA

116 SQ.

Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 09/13/22.
 Zoning for subject tract = Shoreland Residential.
 Property is in "Zone X" and "Zone A" as per the FIRM, Flood Insurance Rate Map. "Zone A" definition: Areas of 100-year flood base elevations and flood hazard factors not determined. "Zone X" definition: Areas of minimal flooding.
 Parcel ID of subject parcel: 14070651.
 The E911 address of subject parcel: 37220 Milinda Shores Rd, Crosslake, MN 56442.
 Setbacks as shown can be subject to interpretation. Verification of setbacks by the governing body is advised prior to building.

13863

Environmental, LLC.

ORI BAS DES WAJ

SCALE IN FEET ON 22" x 34" SHEET 0 20

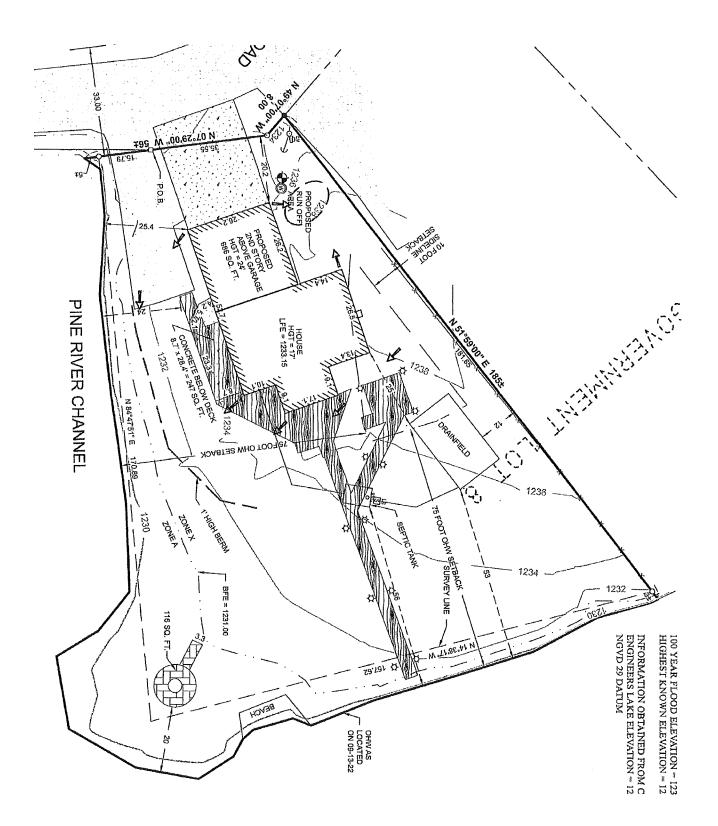
20

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LEGEND

| ORIENTATION OF BASED ON ASSUJ DESCRIPTION ON WARRANTY DEE | 0 | • | | | • | Ŷ | 9 9 | oo ⊗u ©up | 8 | D | | ¢ | ************************************** | | | | | | — X — |
|--|---|------------------------|---------------------|----------------------------------|---------------------------|---|---|--|-----------------------|------------------------------------|--|-----------------------------------|--|---|--|---|--------------------------------------|--|-----------------------------|
| ORIENTATION OF THIS BEARING SYSTEM IS BASED ON ASSUMED BEARING PER LEGAL DESCRIPTION ON CROW WING COUNTY WARRANTY DEED DOCUMENT NUMBER 0713863. | DENOTES IRON MONUMENT SET MARKED BY LICENSE No. 44881 | DENOTES MONUMENT FOUND | DENOTES SET PK NAIL | ELEV. = 1235.24 NGVD 29 DATUM | BENCHMARK: TOP OF WELL | DENOTES PROPOSED SURFACE DRAINAGE FLOW | DENOTES EXISTING SEPTIC LIFT STATION | DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID | DENOTES EXISTING WELL | DENOTES EXISTING ELECTRIC METER | DENOTES EXISTING UTILITY POLE W/ GUY WIRE | DENOTES EXISTING MOUNTED LIGHT | DENOTES EXISTING INDEX CONTOURS | DENOTES EXISTING INTERMEDIATE CONTOURS | DENOTES EDGE OF EXISTING WOODEN DECKING | DENOTES EDGE OF EXISTING PAVING STONES | DENOTES EDGE OF EXISTING CONCRETE | DENOTES EDGE OF EXISTING BITUMINOUS | DENOTES EXISTING FENCE LINE |

| SHI | CERTIFICATE OF SURVEY | PROJECT MANAGER: | PROJECT No.: | DATE: | | REVISIONS | | I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR | NEM | |
|--------------|-----------------------|------------------|-----------------|---------------------|------|----------------|---|---|------------|---------------------------------|
| | | CMH | 22236-1 | 09/07/2023 | DATE | DESCRIPTION B' | | REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND | 2000 P | 30206 Rasmussen Road Suite 1 |
| 0 | Nita Morlock | CHECKED | FILE NAME: | SCALE: | | | - | SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. | YXXXXXX | P. O. Box 874 |
|)F | 5020 Page Ave | BY: RJF | C22236-1.dwg | HORZ. <u>1"=20'</u> | | | | (DP: matiol. | | Pequot Lakes, MN 56472 |
| ، | St. Michael, MN 55376 | DRAWN BY: | FIELD BOOK: | | | | | CYNTHIA M. HIDDE RLS#44881 | E BANK | 218-568-4940 |
| | | CMH | BOOK 469 PG. 73 | VERT. NONE | | | | DATE 9/7/2023 LIC. NO. 4488/ | SURVEYING' | www.stonemarksurvey.com |



IMPERVIOUS CALCULATIONS

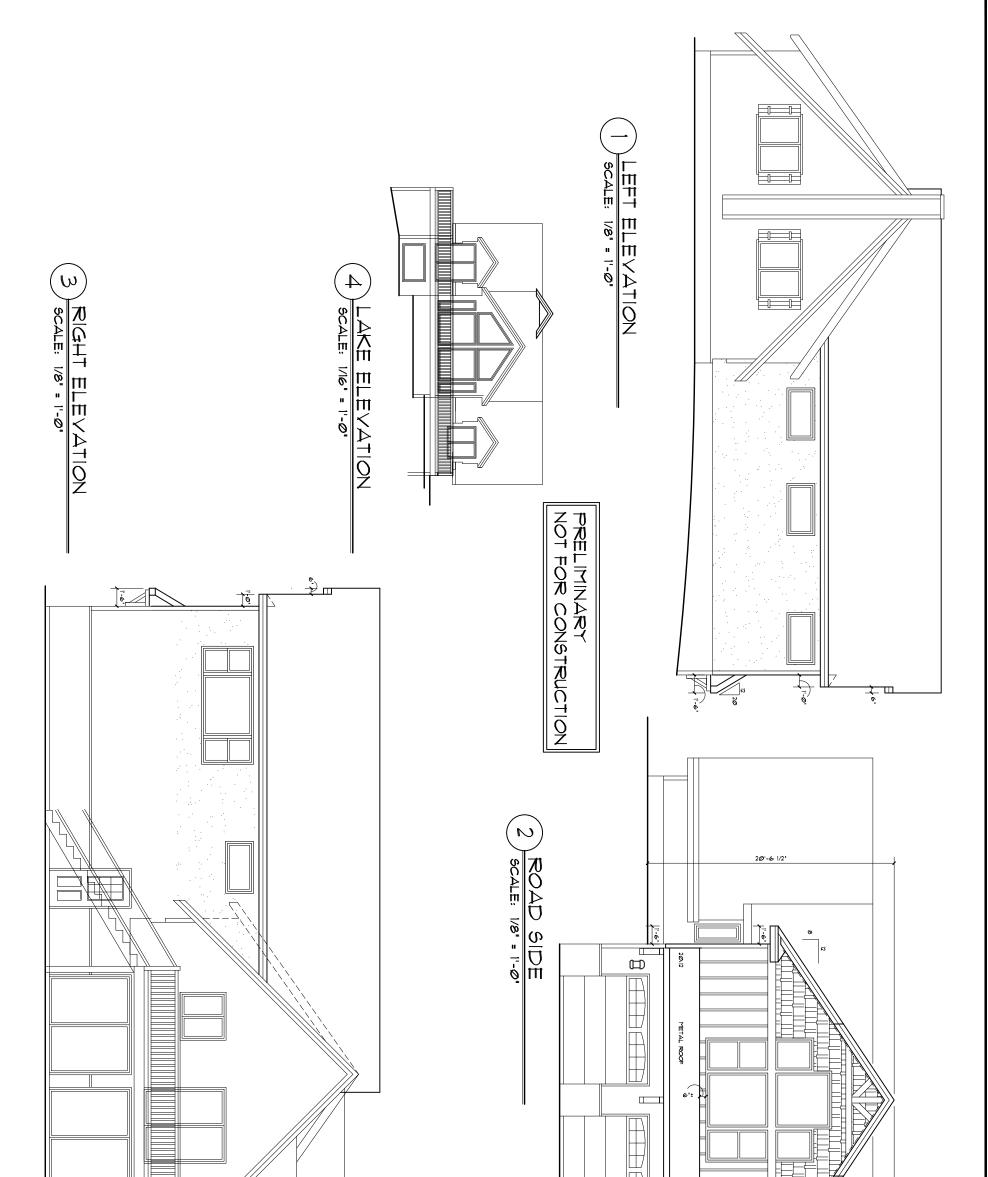
| Total | 3,544 | 20,768 | 17.1% |
|---------------------|--------------------------------|---------------------|----------------------------------|
| Bituminous | 772 | 20,768 | 3.7% |
| Concrete and Pavers | 857 | 20,768 | 4.1% |
| House | 1,915 | 20,768 | 9.2% |
| EXISTING | IMPERVIOUS AREA (sq.ft.) | Net Area (sq.ft) | Percent Impervious (sq.ft) |

| RUN OFF CALCULA | TIONS | | | | |
|---|---------------|---|------------|---|-------------|
| Total Impervious Surface Area (from table above) | 3,544 sq. ft. | х | 0.0833 ft. | - | 295 cu. ft. |

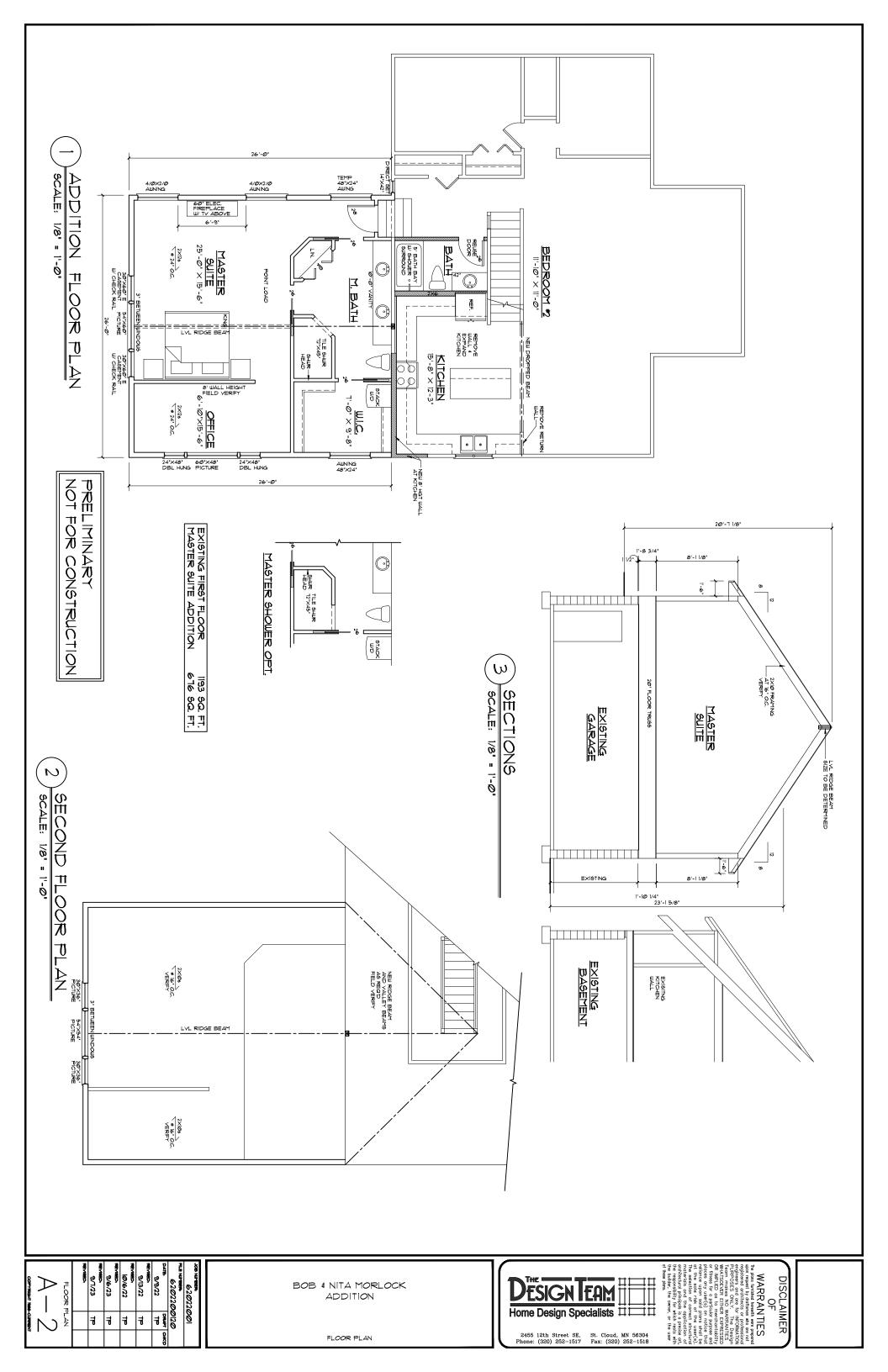
PROPOSED RUN OFF AREA

TOP SURFACE AREA = 126 SQ. FT. BOTTOM SURFACE AREA = 31 SQ. FT. I' DEEP WITH 3:1 SIDE SLOPES TOTAL RUN OFF STORAGE PROPOSED = 79 CU. FT.

BALANCE OF REQUIRED RUN OFF AREA WILL BE RETAINED BY THE 1' BERM TOTAL RUN OFF STORAGE PROPOSED = 300 CU. FT.



| | | 23'-1 5/8' EXISTING HOBUE 26'-1 5/6' HEIGHT AT ADDITION 2T'-10/12' |
|---|--------------------------------|--|
| Job Nureas 62/2020/01/20 DATE: 62/2020/01/20 DATE: 9/9/22 DATE: 9/9/22 SVADD: 9/13/22 SVADD: 9/0/6/22 SVADD: 9/0/6/22 SVADD: 9/0/6/23 SVADD: 9/0/23 SVADD: 9/0/23 SVADD: 9/0/23 SVADD: 1 SUMD: 1 SUMD: 1 | BOB & NITA MORLOCK ADDITION | DISCLAIMER DESCRIPTION THE DESIGN Specialists Home Design Specialists 1455 12th Street SE, St. Cloud, MN 56304 |
| | ELEVATIONS | 2455 12th Street SE, St. Cloud, MN 56304 Phone: (320) 252-1517 Fax: (320) 252-1518 |



| Variance Applic Planning and Zoning I 13888 Daggett Bay Road, Cro 218.692.2689 (Phone) 218.692.2687 (Fi | Department sslake, MN 56442 | ake.org |
|---|---|---|
| Receipt Number: 771702 Property Owner(s): Bobbie D Morlock | Permit Number:_ | 2302221 |
| Mailing Address: 11226 Creekside Trail, Maple Grove, MN 55311 Site Address: 37220 Milinda Shores Rd, Crosslake Phone Number: 612-743-3410 | (Check applic | |
| E-Mail Address: nita@nitamorlock.com Parcel Number(s): 14070651 | Road Right Bluff Setb Side Yard | |
| Legal Description:That part of government lot 8Sec7Twp 137Rge 262728Lake/River Name:Rush | Wetland SSeptic Tar | etback 1k Setback |
| Do you own land adjacent to this parcel(s)? Yes No If yes list Parcel Number(s) N/A | | ainfield Setback s Coverage Structure |
| Authorized Agent: Nita Morlock Agent Address: 11226 Creekside Trail, Maple Grove, MN 55311 Agent Phone Number: 612-743-3410 | Building F Patio Size | leight |
| Agent Phone Number: 012 140 0410 Signature of Property Owner(s) | | e 9-6-23 |
| Nita Marlock Digitally signed t | Survey osslake" pplications is determin | e 9/6/2023 |
| $\frac{\text{For Office Use:}}{\text{Application accepted by } \mathcal{P} \neq 6 \\ \text{Lake Class} \mathcal{GP} \\ \text{Septic: Compliance} \mathcal{GP} \\ \frac{1}{2}\mathcal{GP} \\ \frac{1}{2}GP$ | Land Use D | istrict <u>SD</u> |



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.

- Is the Variance request in harmony with the purposed and intent of the Ordinance? Yes
 No
 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
- Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
 Yes No □

| Y | es |
|-----|----|
| * * | 71 |

Why:

Adding living space above garage only. Not expanding footprint of any structure.

- 4. Will the issuance of a Variance maintain the essential character of the locality? Yes No □
 - Why:

Will enhance the front and side elevations of the structure. No negative impact.

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

Why:

Property was previously built in location where lake and road setbacks were not required prior to our purchase.

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

Yes 🔳 No 🗆

No 🗆

Why:

The variance request is to add living space above the current structure only, not to expand the footprint of the home which will minimize any impact on the environment. There will be no extra bedrooms.



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.

 Is the Variance request in harmony with the purposes and intent of the Ordinance? Yes No Why:

Is the Variance consistent with the Comprehensive Plan?
 Yes No
 Why:

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?

 Does the need for a Variance involve more than economic considerations? Yes No Why: