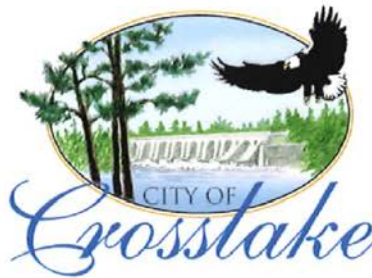


City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



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**

September 27, 2024  
**9:00 A.M.**

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

**PUBLIC HEARING NOTICE**

**Applicant:** Underwood Real Estate LLC

**Authorized Agent:** Dylan Howard

**Site Location:** 12292 Manhattan Pt Blvd, Crosslake, MN 56442 on Big Trout - GD

**Variance for:**

- Bluff setback of 0 feet (ft) where 30 ft is required to proposed dwelling
- Bluff impact zone encroachment of 18.4 feet where none is allowed for a proposed dwelling
- Dirt moving in the bluff impact zone, where Chapter 26 states dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under Section 26-313, for a proposed dwelling

**To construct and allow:**

- 2,261 sf dwelling addition and attached garage
- 104 sf covered entry
- Dirt moving in the bluff impact zone for a proposed dwelling

**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@cityofcrosslake.org](mailto:crosslakepz@cityofcrosslake.org)).



## STAFF REPORT

Property Owner/Applicant: Underwood Real Estate LLC

Parcel Number(s): 14060874, 14060875

Application Submitted: August 6, 2024

Action Deadline: October 4, 2024

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

Applicant Extension Received / Request: NA / NA

City Council Date: NA

**Authorized Agent:** Dyland Howard

### **Variance for:**

- Bluff setback of 0 feet (ft) where 30 ft is required to proposed dwelling
- Bluff impact zone encroachment of 18.4 feet where none is allowed for a proposed dwelling
- Dirt moving in the bluff impact zone, where Chapter 26 states dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under Section 26-313, for a proposed dwelling

### **To construct and allow:**

- 2,261 sf dwelling addition and attached garage
- 104 sf covered entry
- Dirt moving in the bluff impact zone for a proposed dwelling

**Current Zoning:** Shoreland District

### **Existing Impervious Coverage:**

17.8%

### **Proposed Impervious Coverage:**

21.4%

- Stormwater run off areas were submitted with the variance application
- Septic Certificate of Installation is on file dated 10-14-2022

### **Parcel History:**

- May 1991 – Deck and septic system,
- May 2016 – After the Fact Variance for water-oriented accessory structure with a zero bluff setback
- July 2016 – Land Alteration – stairway, walkway, water-oriented accessory structure, retaining wall(s), dirt moving
- December 2021 – Land Alteration – lift, landing, vegetation removal
- June 2022 – 30x36 accessory structure with 690 square foot auxiliary living, upgrade septic system
- May 2023 – Variance denied
- October 14, 2022 – 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: 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:**

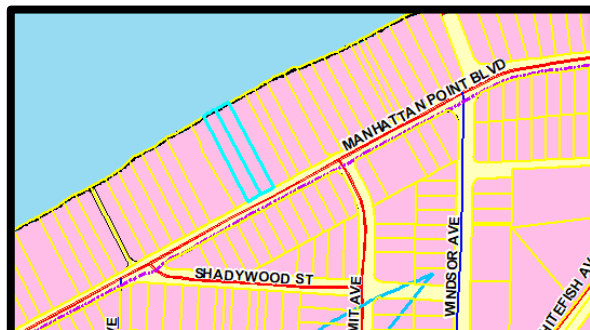
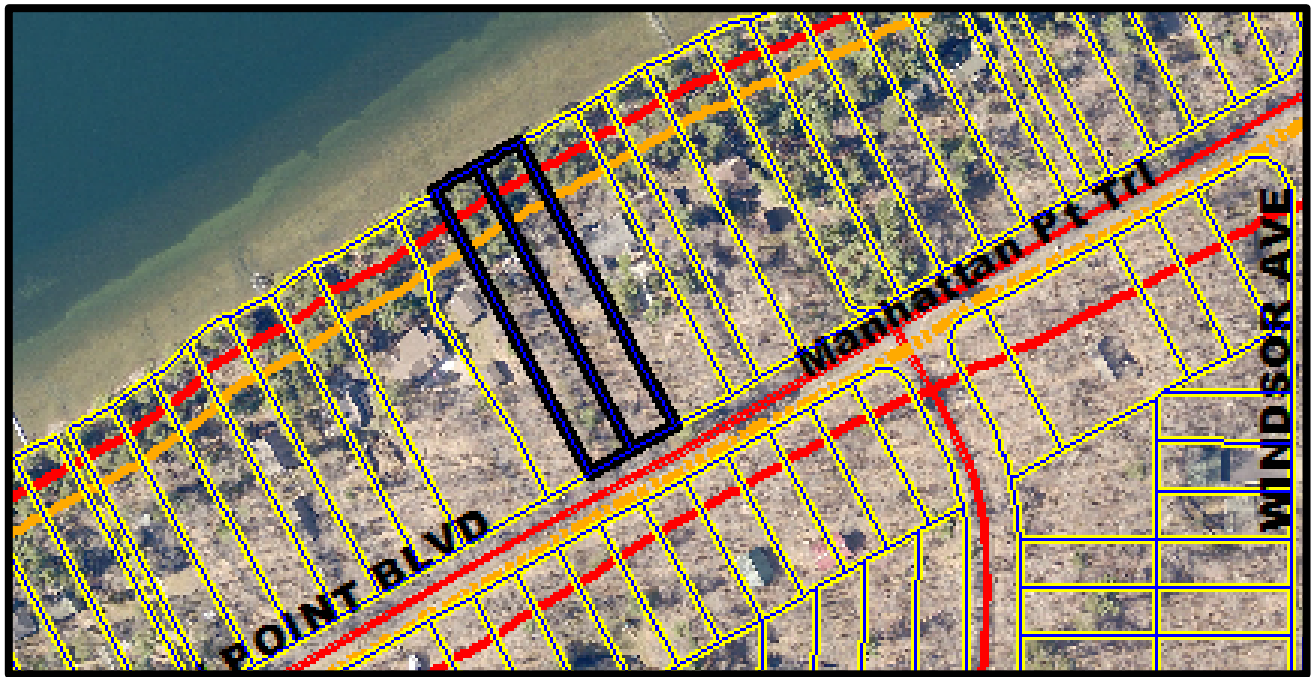
To approve/table/deny the variance to allow:

- Bluff setback of 0 feet (ft) where 30 ft is required to proposed dwelling
- Bluff impact zone encroachment of 18.4 feet where none is allowed for a proposed dwelling
- Dirt moving in the bluff impact zone, where Chapter 26 states dirt moving in a bluff impact zone is prohibited, except for the placement of stairways, lifts, or landings permitted under Section 26-313, for a proposed dwelling

To construct and allow:

- 2,261 sf dwelling addition and attached garage
- 104 sf covered entry
- Dirt moving in the bluff impact zone for a proposed dwelling

As shown on the certificate of survey dated 8-14-2024



# CERTIFICATE OF SURVEY

LOTS 5 AND 6, BLOCK 4,  
MANHATTAN BEACH (A REPLAT OF TWIN BEACH)  
SECTION 6, TOWNSHIP 137 NORTH, RANGE 27 WEST,  
CROW WING COUNTY, MINNESOTA

## BIG TROUT LAKE

GENERAL DEVELOPMENT CLASSIFICATION  
NORMAL RESERVOIR POOL ELEVATION = 1229.57

100 YEAR FLOOD ELEVATION = 1231.00  
HIGHEST KNOWN ELEVATION = 1234.56

INFORMATION OBTAINED FROM CORPUS OF  
ENGINEERS LAKE ELEVATION = 1228.82 ON 3-14-2016

BASED ON NGVD 29 DATUM

IMPERVIOUS CALCULATIONS			
EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House	741	47,176	1.6%
Garage	643	47,176	1.0%
Garage 1	1,077	47,176	2.3%
Water Accessory Structure	120	47,176	0.3%
Concrete & Pavers	887	47,176	1.9%
Blumhouse	4,948	47,176	10.5%
<b>Total</b>	<b>8,416</b>	<b>47,176</b>	<b>17.8%</b>

IMPERVIOUS CALCULATIONS			
PROPOSED	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
House	741	47,176	1.6%
Addition & Attached Garage	2,281	47,176	4.8%
Covered Entry	104	47,176	0.2%
Garage 1	1,077	47,176	2.3%
Concrete & Pavers	505	47,176	1.1%
Water Accessory Structure	120	47,176	0.3%
Existing & Proposed Blumhouse	5,201	47,176	11.2%
<b>Total</b>	<b>10,119</b>	<b>47,176</b>	<b>21.4%</b>

**RUN OFF CALCULATIONS**  
Total Impervious Surface Area 10,119 sq. ft. x 0.0633 R. = 642 cu. ft.  
(from table above)

**EXISTING RUN OFF AREAS**  
TOTAL RUN OFF STORAGE EXISTING = 349 CU. FT.  
**PROPOSED RUN OFF AREAS**  
AREA 1  
TOP SURFACE AREA = 11150 FT.  
BOTTOM SURFACE AREA = 11150 FT.  
FLOOD WITH 1" STEEP SLOPES  
TOTAL RUN OFF STORAGE PROPOSED = 313 CU. FT.  
AREA 2  
TOP SURFACE AREA = 25450 FT.  
BOTTOM SURFACE AREA = 25450 FT.  
FLOOD WITH 1" STEEP SLOPES  
TOTAL RUN OFF STORAGE PROPOSED = 223 CU. FT.

**LOTS 5 & 6**  
47,176 SQ. FT. ±  
1.1 ACRES ±  
BUILDABLE AREA =  
19,315 SQ. FT.  
AREAS LESS BLUFF =  
30,990 SQ. FT.

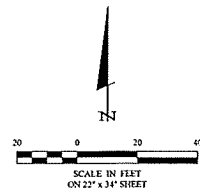
## LEGEND

- X --- DENOTES EXISTING FENCE LINE
- DENOTES EDGE OF EXISTING BITUMEN/AS
- DENOTES EDGE OF EXISTING CONCRETE
- DENOTES EDGE OF EXISTING PAVING STONES
- DENOTES EDGE OF PROPOSED BITUMEN/AS
- DENOTES EDGE OF PROPOSED CONCRETE
- DENOTES EDGE OF EXISTING WOODEN DECKING
- DENOTES BLUFF AREA
- DENOTES EXISTING INTERMEDIATE CONDUIT
- DENOTES EXISTING INLET CONTROL
- DENOTES SPOT ELEVATION (EXISTING/PROPOSED)
- DENOTES EXISTING UTILITY POLE W/ (60" WIDE)
- DENOTES EXISTING ELECTRIC METER
- DENOTES EXISTING GR/ND TRANSFORMER
- DENOTES EXISTING PRIVATE WELLS & PUMP BOX
- DENOTES EXISTING HYDRO. VENT. SEPTIC CLEANOUT, & SEPTIC TANK LID
- DENOTES PROPOSED SEPTIC INLET CATCH BASIN
- DENOTES PROPOSED SURFACE DRAINAGE FLOW
- (TR) TO BE REMOVED
- BENCHMARK: POINT OF WELL ELEV. = 1292.74 BASED ON NGVD 29 DATUM
- DENOTES MONUMENT FOUND

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE MONUMENT OF LOT 4.2 TO HAVE AN ASSUMED BEARING OF N 39° 06' 00" W.

## NOTES:

- Contour interval as shown = 2 feet. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. FIRM located on 3-14-2016 & 7-25-24.
- Zoning for subject tract = "Shoreland District".
- No wetlands were found on November 16, 2022 at the site per Ben Meiser, Meiser Environmental, LLC. ADW Certified Wetland Delineator #10311.
- Property is in "Zone N" 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 N" definition: Areas of minimal flooding.
- Parcel IDs of subject parcel: 14060875 & 14060874.
- The E911 address of subject parcel: 12292 Manhattan Point Blvd.
- Setbacks as shown can be subject to interpretation. Verification of setbacks by the governing body is advised prior to building.
- Approximate location of septic system per sketch prepared by Amy Warnebo.
- Adding septic system as noted Shoreland District.
- Gravel will be piped below ground with perforated rock and drain tile to run-off areas.



DATE	CERTIFICATE OF SURVEY	PROJECT NUMBER	PROJECT No.	DATE	REVISIONS		I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
					DATE	DESCRIPTION	
	Allen Cronen 2388 Point Lake Dr. Willmar, MN 56442		16026-1	7-30-2024	12/22	Added proposed entry	
			FILE NAME: C:\16026-1.dwg	NOV. 17 2024	1/1/2024	Per City comments	
			DRAWN BY: CMH	NOOK	NS	VERT. NONE	DATE: 3/14/2024 1:30:23 PM 44881

30706 Ramothorn Road  
Suite 1  
P. O. Box 874  
Pequot Lakes, MN 56472  
218-568-4340  
www.stkooner.com/survey.com

# CERTIFICATE OF SURVEY

LOTS 5 AND 6, BLOCK 4,  
MANHATTAN BEACH (A REPLAT OF TWIN BEACH)  
SECTION 6, TOWNSHIP 137 NORTH, RANGE 27 WEST,  
CROW WING COUNTY, MINNESOTA

**BIG TROUT LAKE**  
GENERAL DEVELOPMENT CLASSIFICATION  
NORMAL RESERVOIR POOL ELEVATION = 1229.57  
100 YEAR FLOOD ELEVATION = 1231.60  
HIGHEST KNOWN ELEVATION = 1234.56  
INFORMATION OBTAINED FROM CORES OF  
ENGINEERS LAKE ELEVATION = 1228.82 ON 3-14-2016  
BASED ON NGVD 29 DATUM

EXISTING	IMPERVIOUS AREA (sq ft)	Net Area (sq ft)	Percent Impervious (sq ft)
House	741	47,176	1.6%
Garage	843	47,176	1.8%
Garage 1	1,077	47,176	2.3%
Water Accessory Structure	120	47,176	0.3%
Concrete & Pavement	687	47,176	1.5%
Blurred	4,848	47,176	10.3%
<b>Total</b>	<b>8,416</b>	<b>47,176</b>	<b>17.8%</b>

PROPOSED	IMPERVIOUS AREA (sq ft)	Net Area (sq ft)	Percent Impervious (sq ft)
House	741	47,176	1.6%
Addition & Attached Garage	2,281	47,176	4.8%
Covered Entry	104	47,176	0.2%
Concrete & Pavement	508	47,176	1.1%
Water Accessory Structure	120	47,176	0.3%
Existing & Proposed Blurred	5,301	47,176	11.2%
<b>Total</b>	<b>9,033</b>	<b>47,176</b>	<b>19.1%</b>

**RUN OFF CALCULATIONS**  
Total Impervious Surface Area 9,033 sq. ft. x 0.0333 ft. = 752 cu. ft.  
(from table above)

**EXISTING RUN OFF AREAS**  
TOTAL RUN OFF STORAGE EXISTING = 349 CU. FT.

**PROPOSED RUN OFF AREAS**  
AREA 1  
TOP SURFACE AREA = 332 SQ. FT.  
BOTTOM SURFACE AREA = 131 SQ. FT.  
DEPTH WITH 3 SIDE SLOPES  
TOTAL RUN OFF STORAGE PROPOSED = 237 CU. FT.  
AREA 2  
TOP SURFACE AREA = 344 SQ. FT.  
BOTTOM SURFACE AREA = 131 SQ. FT.  
DEPTH WITH 3 SIDE SLOPES  
TOTAL RUN OFF STORAGE PROPOSED = 238 CU. FT.

**LOTS 5 & 6**  
47,176 SQ. FT. ±  
1.1 ACRES ±  
BUILDABLE AREA =  
15,315 SQ. FT.  
AREA LESS BLUFF =  
30,990 SQ. FT.

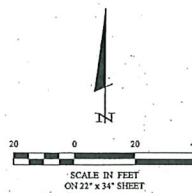
**LEGEND**

- x - x - DENOTES EXISTING FENCE LINE
- - - DENOTES EDGE OF EXISTING BITUMINOUS
- - - DENOTES EDGE OF EXISTING CONCRETE
- - - DENOTES EDGE OF EXISTING PAVING STONES
- - - DENOTES EDGE OF PROPOSED BITUMINOUS
- - - DENOTES EDGE OF PROPOSED CONCRETE
- - - DENOTES EDGE OF EXISTING WOODEN DECKING
- - - DENOTES BLUFF AREA
- - - DENOTES EXISTING INTERMEDIATE CONTOURS
- - - DENOTES EXISTING INDEX CONTOURS
- X 1214 DENOTES SPOT ELEVATION (EXISTING GRADE)
- ↖ DENOTES EXISTING UTILITY POLE W/ GUY WIRE
- ⊕ DENOTES EXISTING ELECTRIC METER
- ⊕ DENOTES EXISTING GROUND TRANSFORMER
- ⊕ DENOTES EXISTING FRENCH PEDESTAL & PHONE BOX
- ⊕ DENOTES EXISTING WELL
- ⊕ DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT & SEPTIC MANHOLE
- ⊕ DENOTES PROPOSED STORM SEWER CATCH BASIN
- (TR) TO BE REMOVED
- ⊕ BENCHMARK: HIGH POINT OF WELL ELEV. = 1232.54 BASED ON NGVD 29 DATUM
- DENOTES MONUMENT FOUND

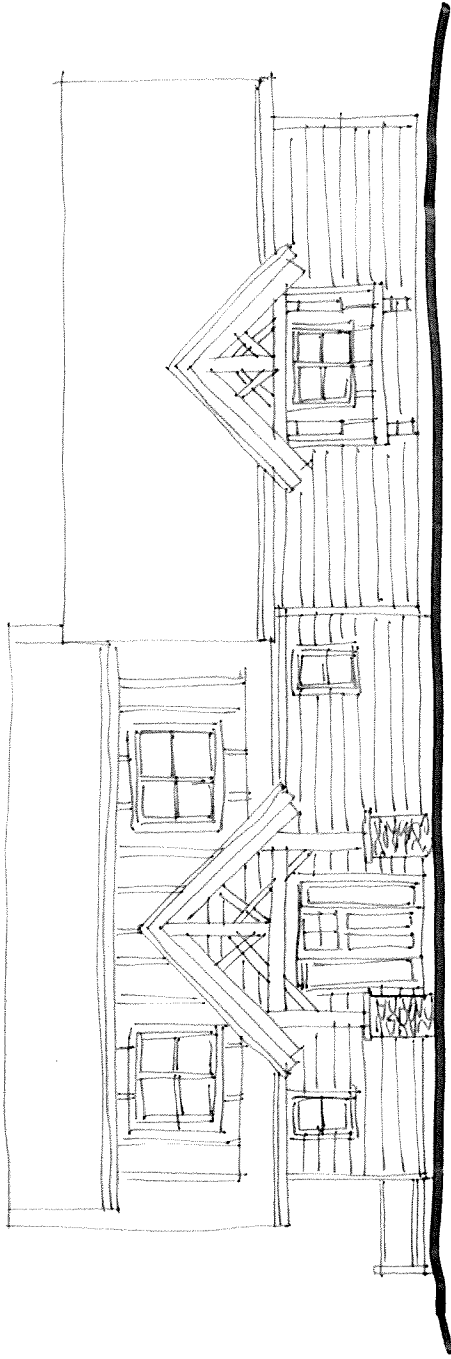
ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE COMMON USE OF LOTS 4 & 7 TO HAVE AN ASSUMED BEARING OF N 30° 00' 00" W.

**NOTES:**

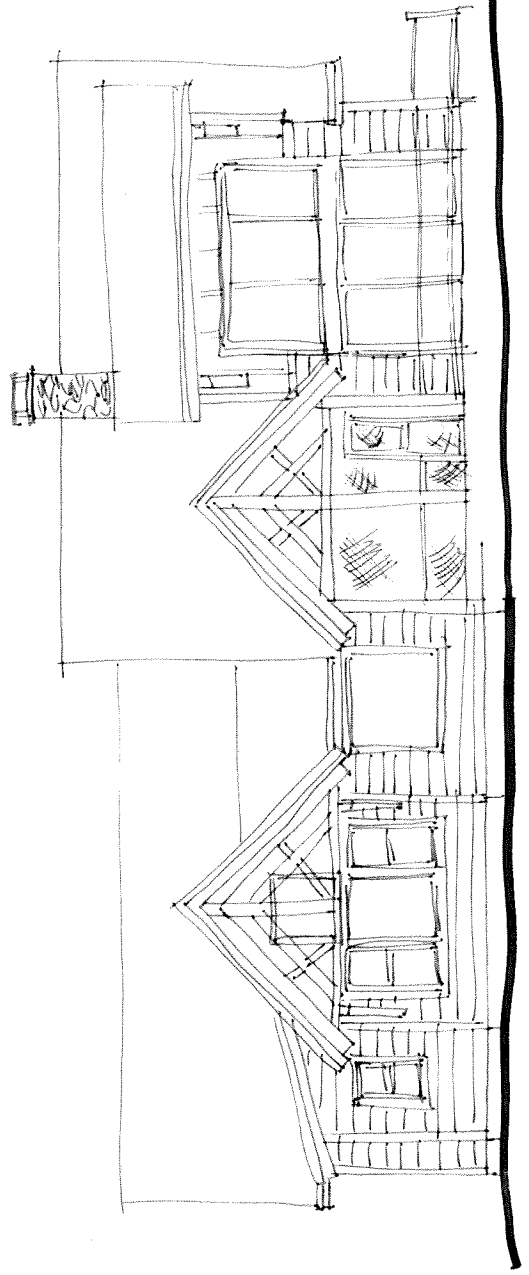
- Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 3-14-2016 & 7-25-24.
- Zoning for subject tract = "Shoreland District".
- No wetlands were found on November 16, 2022 at the site per Ben Meitzner, Meitner Environmental, LLC. MN Certified Wetland Delimitator #1031.
- Property is in "Zone X" and "Zone A" as per the FIRM, Flood Insurance Rate Map. "Zone X" definition: Areas of 100-year flood base elevations and flood hazard factors not determined. "Zone A" definition: Areas of minimal flooding.
- Parcel ID of subject parcel: 14660375 & 14660974.
- The E911 address of subject parcel: 12292 Manhattan Point Blvd.
- Setbacks as shown can be subject to interpretation. Verification of setbacks by the governing body is advised prior to building.
- Approximate location of septic system per sketch prepared by Amy Wernicke.
- Adjoining properties are zoned Shoreland District.



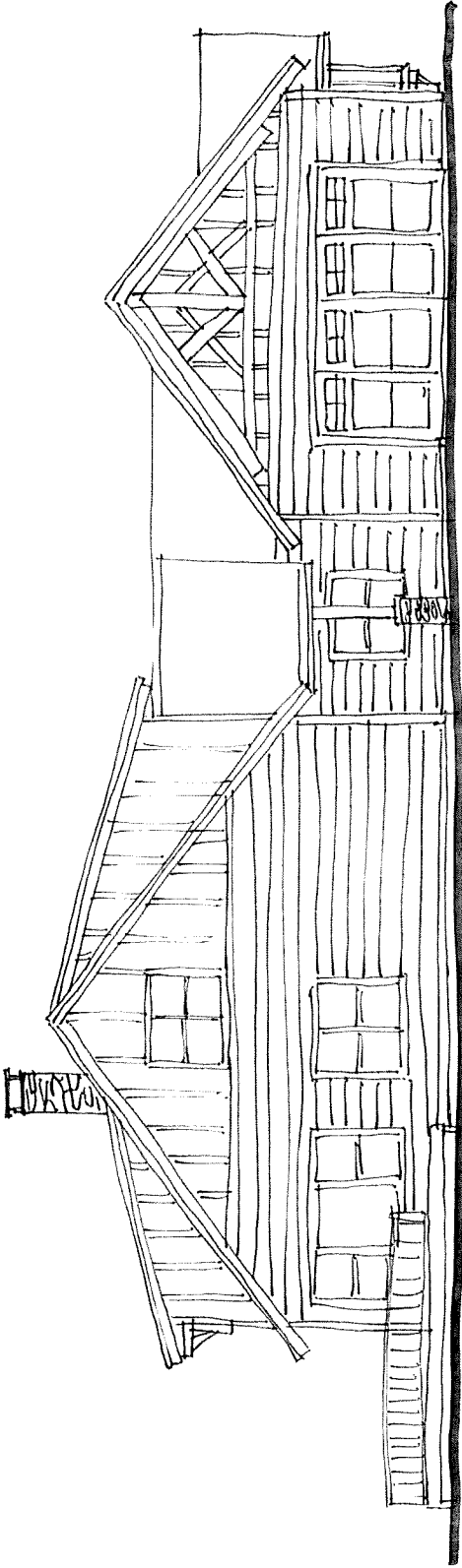
CERTIFICATE OF SURVEY Allen Cronen 7388 Point Lake Dr. Wilmart, MN 56442	PROJECT MANAGER CSH	PROJECT No. 10026-1	DATE 1-30-2024	REVISIONS DESCRIPTION BY	I HEREBY CERTIFY THAT THIS SURVEY PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. CENTRAL RECORD FILE#4111 INC. NO. Y4881		30206 Farmington Road Suite 1 P. O. Box 874 Pequot Lakes, MN 56472 218-564-0910 www.stonemarksurvey.com
	CHECKED BY RIF	FILE NAME C11026-1.dwg	SCALE 800L, 1"=20'	DATE 7/30/2024			



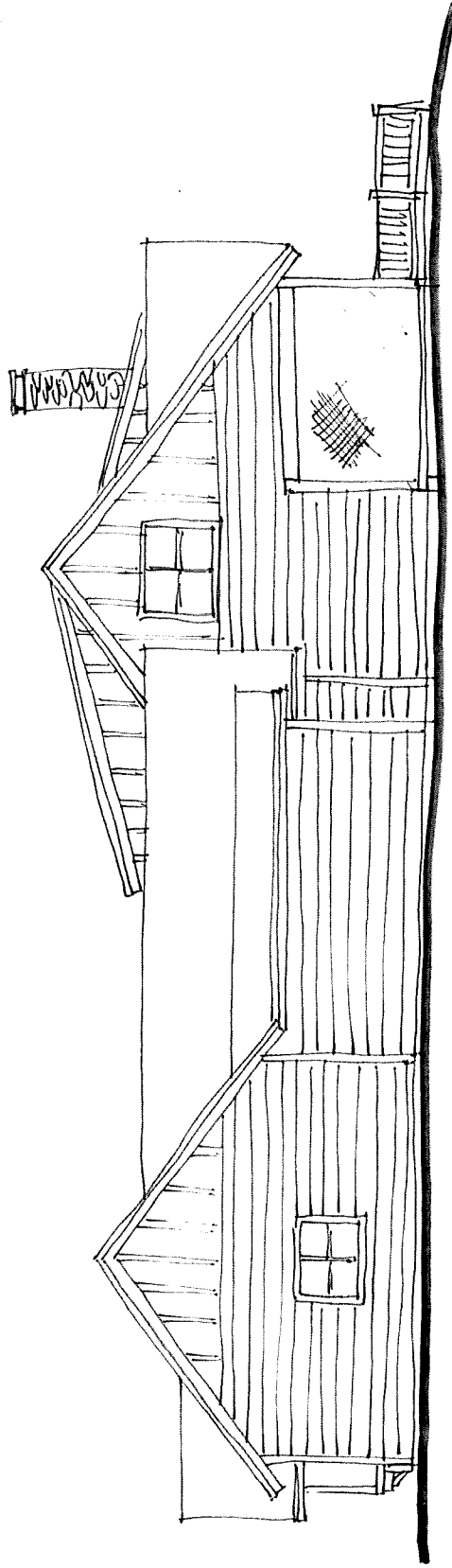
ROAD SIDE



LAKE SIDE



LEFT ELEVATION



RIGHT ELEVATION



OPTIONAL DOOR IF  
COUNTRY WOULD ALLOW

GARAGE  
32' x 28'  
OUTSIDE  
DIMS

2 x 8

MAIN FLOOR

GREAT RM

SCREEN

DINING  
15' x 12'-2"

KITCHEN  
13'-8" x 10'-0"

HATCH

PANTRY  
10'-5" x 6'-2"

BENCH  
w/ HOOKS

PORCH  
13' x 8'

UP

DN

72"

SUITE  
13'-10" x 14'-0"

SHOWER  
7'-1" x  
4'-2"

LAUND  
6'-4" x  
11'-5"

MUD RM  
7'-3" x  
11'-5"

B

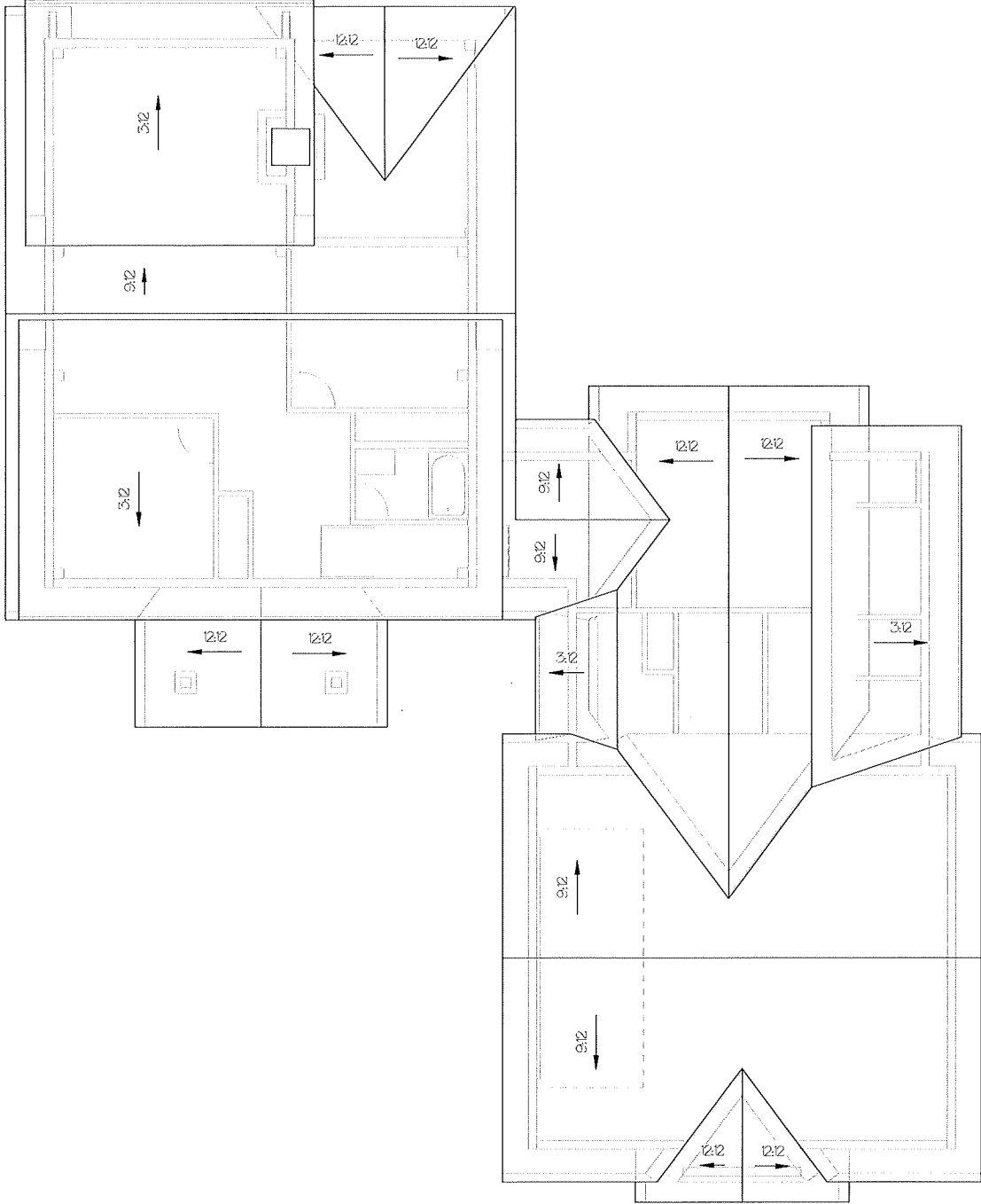
WIC

18' x 8'





SECOND FLOOR





**Variance Application**  
 Planning and Zoning Department  
 13888 Daggett Bay Road, Crosslake, MN 56442  
 218.692.2689 (Phone) 218.692.2687 (Fax) [www.cityofcrosslake.org](http://www.cityofcrosslake.org)

Receipt Number: 244242 <sup>\$750.00</sup> Permit Number 240144 ✓  
*Online 43094680 \$6.00 copied*

Property Owner(s): Allan Cronen Underwood Real Estate LLC

Mailing Address: 7388 Point Lake Drive, Willmar, MN 56201

Site Address: 12292 Manhattan Pt Blvd, Crosslake, MN 56442

Phone Number: 320-221-3381

E-Mail Address: acronen@gvlpoly.com

Parcel Number(s): 14060874/14060875

Legal Description: Lots 5 and 6, Block 4 - Manhattan Beach  
*(A Replat of Twin Beach)*

Sec 06 Twp 137 Rge 26  27  28

Lake/River Name: Big Trout Lake

Do you own land adjacent to this parcel(s)? \_\_\_ Yes X No

If yes list Parcel Number(s) \_\_\_\_\_

Authorized Agent: Dylan Howard

Agent Address: 602 1st Street, Princeton MN 55371

Agent Phone Number: 763-286-1164

<u>Variations</u>	
(Check applicable requests)	
<input type="checkbox"/>	Lake/River Setback
<input type="checkbox"/>	Road Right-of-Way Setback
<input checked="" type="checkbox"/>	Bluff Setback <i>18.4 in bluff impact s/b 30'</i>
<input type="checkbox"/>	Side Yard Setback
<input type="checkbox"/>	Wetland Setback
<input type="checkbox"/>	Septic Tank Setback
<input type="checkbox"/>	Septic Drainfield Setback
<input type="checkbox"/>	Impervious Coverage
<input type="checkbox"/>	Accessory Structure
<input type="checkbox"/>	Building Height
<input type="checkbox"/>	Patio Size
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

Signature of Property Owner(s)  Date 7/31/2024

Signature of Authorized Agent(s)  Date 7/31/24

- All applications must be accompanied by a signed Certificate of Survey
- Fee \$750 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 PS Date 8-6-2024 Land Use District SD

Lake Class GD Septic: Compliance \_\_\_\_\_ SSTS Design \_\_\_\_\_ Installation 10-14-2022



## 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: The remodeling and addition to the existing cabin does

not meet the setback requirements. To maintain the appeal of the property and neighborhood, the remodeling and addition to the existing cabin will keep the home in line with neighboring lake homes.

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

Yes  No

Why: There are similar structures in the area with similar

setbacks and land use patterns. Implementation of Storm Water Management Plan will help protect water quality of Trout Lake.

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 lots were created prior to any zoning regulations

established in 1979. This is an existing lot of record in the plat of Manhattan Beach established in 1926. The remodel and addition to the existing cabin will maintain the appeal of the neighborhood and property.

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

Yes  No

Why: Implementation of the Storm Water Management Plan

will help protect the water quality of Trout Lake. The remodeling and addition will improve the current structure and bring it to code.



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: