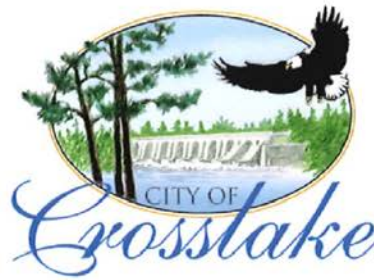


City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



13888 Daggett Bay Rd
Crosslake, Minnesota 56442
www.cityofcrosslake.org

CITY OF CROSSLAKE

PLANNING COMMISSION/BOARD OF ADJUSTMENT

October 25, 2024

9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: Daniel P & Jill M McCarty

Authorized Agent: Pat Trottier

Site Location: 12080 Manhattan Pt Blvd, Crosslake, MN 56442 on Big Trout Lake - GD

Variance for:

- Bluff setback of 23 feet where 30 feet is required to 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 addition

To construct & allow:

- 358 square foot addition to the dwelling where 71 square feet are within the bluff impact zone
- 2 cubic yards of dirt

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).



STAFF REPORT

Property Owner/Applicant: Daniel P & Jill M McCarty

Parcel Number(s): 14060856, 14060857

Application Submitted: September 9, 2024

Action Deadline: November 7, 2024

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

Applicant Extension Received / Request: NA / NA

City Council Date: NA

Authorized Agent: Pat Trottier

Variance for:

- Bluff setback of 23 feet where 30 feet is required to proposed dwelling
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To construct & allow:

- 358 square foot addition to the dwelling where 71 square feet are within the bluff impact zone
- 2 cubic yards of dirt

Current Zoning: Shoreland District

Existing Impervious Coverage:

20.1%

Proposed Impervious Coverage:

20.8%

- A stormwater retention location was submitted with the variance application
- Compliant septic compliance inspection on file dated 5-31-2024

Parcel History:

- Manhattan Beach (A Replat of Twin Beach) established in 1926
- July 1990 - Septic
- January 1992 – Update septic
- May 1992 – Update septic
- June 1996 – 22x34 patio/deck meeting all setbacks
- October 2000 – 24x26 single story
- July 2008 – Construct a 10x11 breezeway between cabin & garage to create a bunkhouse in the existing garage
- September 2008 – Remove and replace walkway with pavers on road side; remove retaining wall and replace with boulders & a flower bed
- June 2010 – Install a beach sand blanket & a walkway

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:

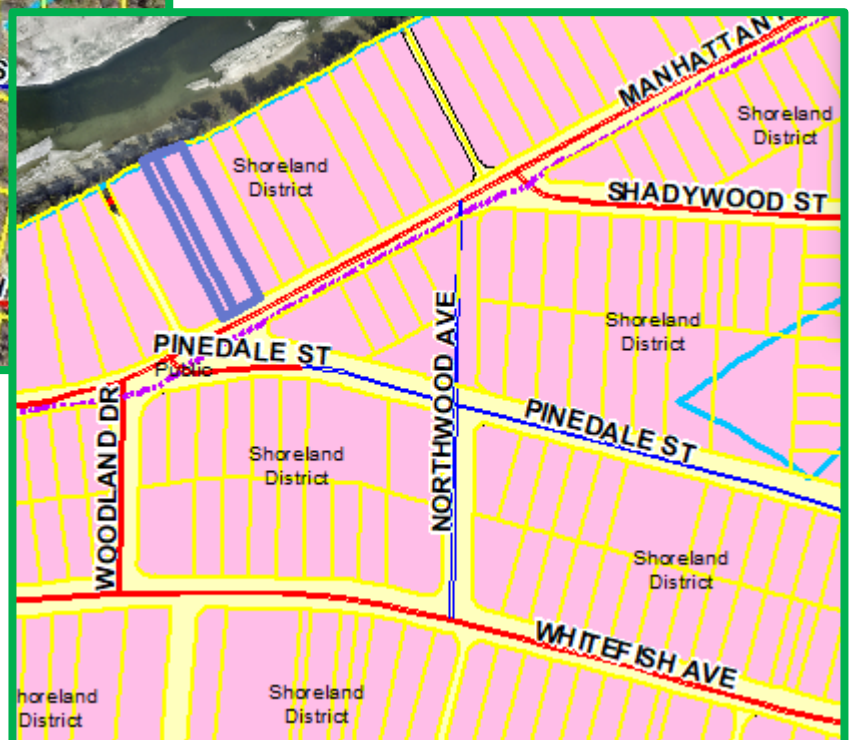
To approve/table/deny the variance to allow:

- Bluff setback of 23 feet where 30 feet is required to 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 addition

To construct & allow:

- 358 square foot addition to the dwelling where 71 square feet are within the bluff impact zone
- 2 cubic yards of dirt

As shown on the certificate of survey dated 9-11-2024



CERTIFICATE OF SURVEY

LOT 10 AND EAST HALF OF LOT 11, BLOCK 5, MANHATTAN BEACH
SECTION 6, TOWNSHIP 137 NORTH, RANGE 27 WEST,
CROW WING COUNTY, MINNESOTA
TOTAL AREA = 34,039 SQ. FT.± / 0.8 ACRES±

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 CORPS OF ENGINEERS
LAKE ELEVATION = 1229.70 ON 6-19-2024

BASED ON NGVD 29 DATUM



LEGEND

- DENOTES EDGE OF EXISTING BITUMINOUS
- DENOTES EDGE OF EXISTING CONCRETE
- DENOTES EDGE OF EXISTING PAVING STONES
- DENOTES EDGE OF EXISTING WOODEN DECKING
- DENOTES EXISTING FENCE LINE
- DENOTES EXISTING UTILITY POLE
- DENOTES EXISTING ELECTRIC METER
- DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- DENOTES EXISTING SEPTIC LIFT STATION
- DENOTES EXISTING PHONE PEDESTAL & PHONE BOX
- DENOTES EXISTING WELL
- DENOTES BLUFF AREA
- DENOTES EXISTING INTERMEDIATE CONTOURS
- DENOTES EXISTING INDEX CONTOURS
- DENOTES SPOT ELEVATION (EXISTING GRADE)
- BENCHMARK:** HIGH POINT OF WELL
ELEV. = 1295.60
BASED ON NGVD 29 DATUM
- DENOTES MONUMENT FOUND

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF LOT 10 TO HAVE AN ASSUMED BEARING OF N 29°42'39" W.

IMPERVIOUS CALCULATIONS

EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
Main House w/ Garage	2,233	34,039	6.6%
Garage	644	34,039	1.9%
Sheds	185	34,039	0.5%
Bituminous Driveway	2,444	34,039	7.2%
Concrete	266	34,039	0.8%
Pavers	1,070	34,039	3.1%
Total	6,842	34,039	20.1%

IMPERVIOUS CALCULATIONS

PROPOSED	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
Main House w/ Garage	2,233	34,039	6.6%
Proposed Addition	358	34,039	1.1%
Garage	644	34,039	1.9%
Sheds	185	34,039	0.5%
Bituminous Driveway	2,444	34,039	7.2%
Concrete	266	34,039	0.8%
Pavers	952	34,039	2.8%
Total	7,072	34,039	20.8%

RUN OFF CALCULATIONS

Total Impervious Surface Area 7,072 sq. ft. X 0.0833 ft. = 589 cu. ft. (from table above)

PROPOSED RUN OFF AREA #1

TOP SURFACE AREA = 146 SQ. FT.
BOTTOM SURFACE AREA = 6 SQ. FT.
1' DEEP WITH 3:1 SIDE SLOPES
RUN OFF STORAGE PROPOSED = 76 CU. FT.

PROPOSED RUN OFF AREA #2

TOP SURFACE AREA = 701 SQ. FT.
BOTTOM SURFACE AREA = 338 SQ. FT.
1' DEEP WITH 3:1 SIDE SLOPES
RUN OFF STORAGE PROPOSED = 520 CU. FT.

TOTAL RUN OFF STORAGE PROPOSED = 596 CU. FT.

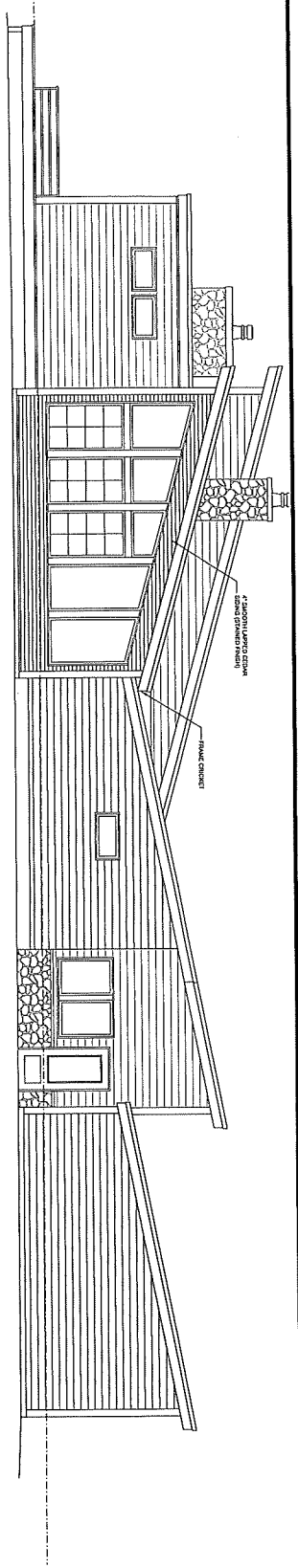
NOTES:

- Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 6-19-2024.
- Zoning for subject tract and adjoining tracts = "Shoreland District".
- No wetlands were found on August 22, 2024 at the site per Ben Meister, Meister Environmental, LLC. MN Certified Wetland Delineator #1031.
- 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: 14060856 & 14060857.
- The E911 address of subject parcel: 12080 Manhattan Point Blvd.
- Setbacks as shown can be subject to interpretation. Verification of setbacks by the governing body is advised prior to building.
- Stonemark Land Surveying, Inc. has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- Dirtwork calculations = Cut 2 cubic yards for footers.

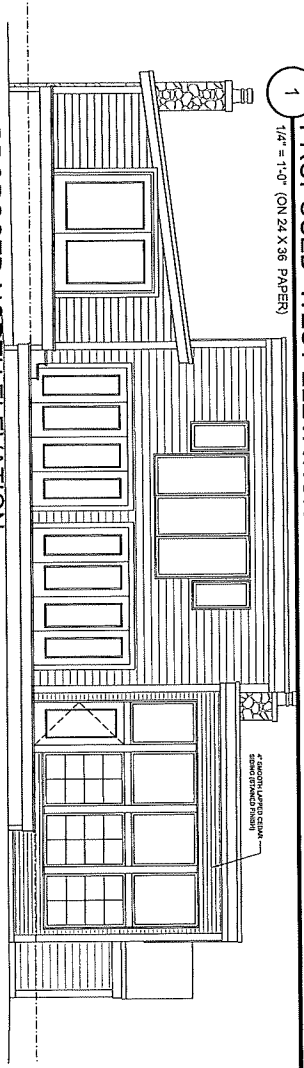


20 0 20 40
SCALE IN FEET
ON 22" X 34" SHEET

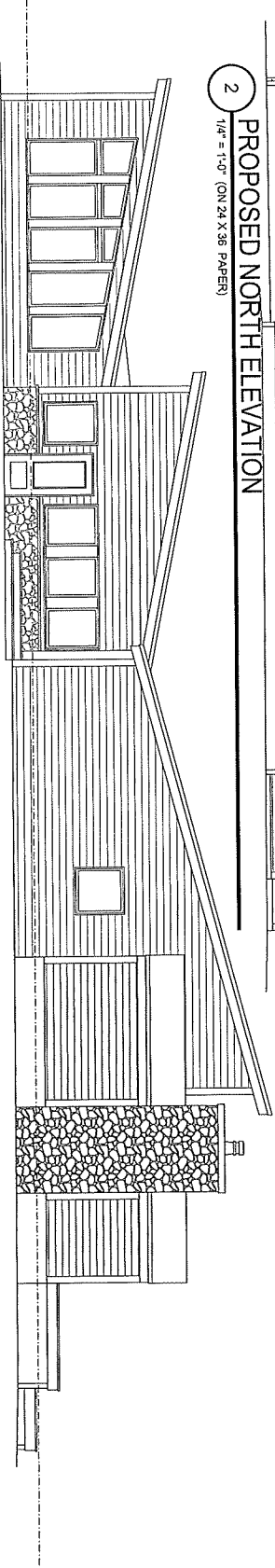
I 30 I	CERTIFICATE OF SURVEY	PROJECT MANAGER: PAT	PROJECT No.: 24117	DATE: 7-10-2024	REVISIONS		I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. PATRICK A. TROTTER, PLS No. 41002 DATE: 9-11-2024 LIC. NO. 41002		30206 Rasmussen Road Suite 1 P. O. Box 874 Pequot Lakes, MN 56472 218-568-4940 www.stonemarksurvey.com
	Rusty Gibbons Gibbons Construction of Lake Shore, Inc. 30237 Pequot Boulevard Pequot Lakes, Minnesota 56472	CHECKED BY: CHM DRAWN BY: PAT	FILE NAME: C24117.dwg FIELD BOOK: BOOK PG.	SCALE: 1" = 20' VERT. NONE	DATE: 9-11-2024 9-10-2024	DESCRIPTION: Added proposed conditions added detail			



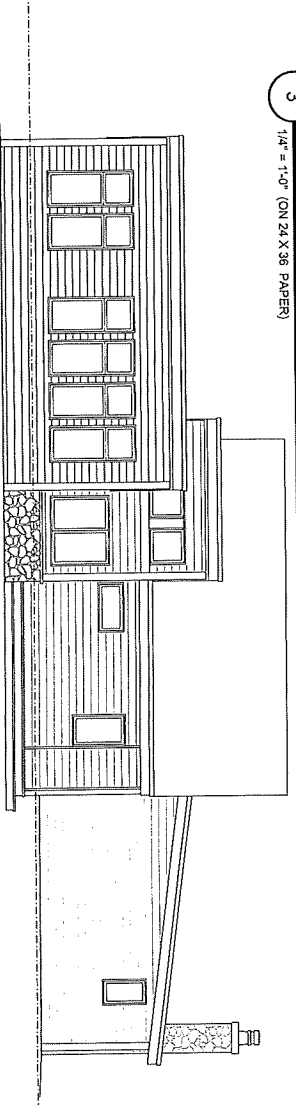
1
 1/4" = 1'-0" (ON 24 X 36 PAPER)
 PROPOSED WEST ELEVATION



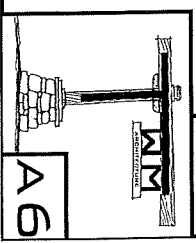
2
 1/4" = 1'-0" (ON 24 X 36 PAPER)
 PROPOSED NORTH ELEVATION



3
 1/4" = 1'-0" (ON 24 X 36 PAPER)
 PROPOSED EAST ELEVATION



4
 1/4" = 1'-0" (ON 24 X 36 PAPER)
 PROPOSED SOUTH ELEVATION

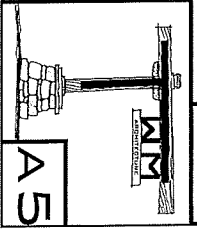
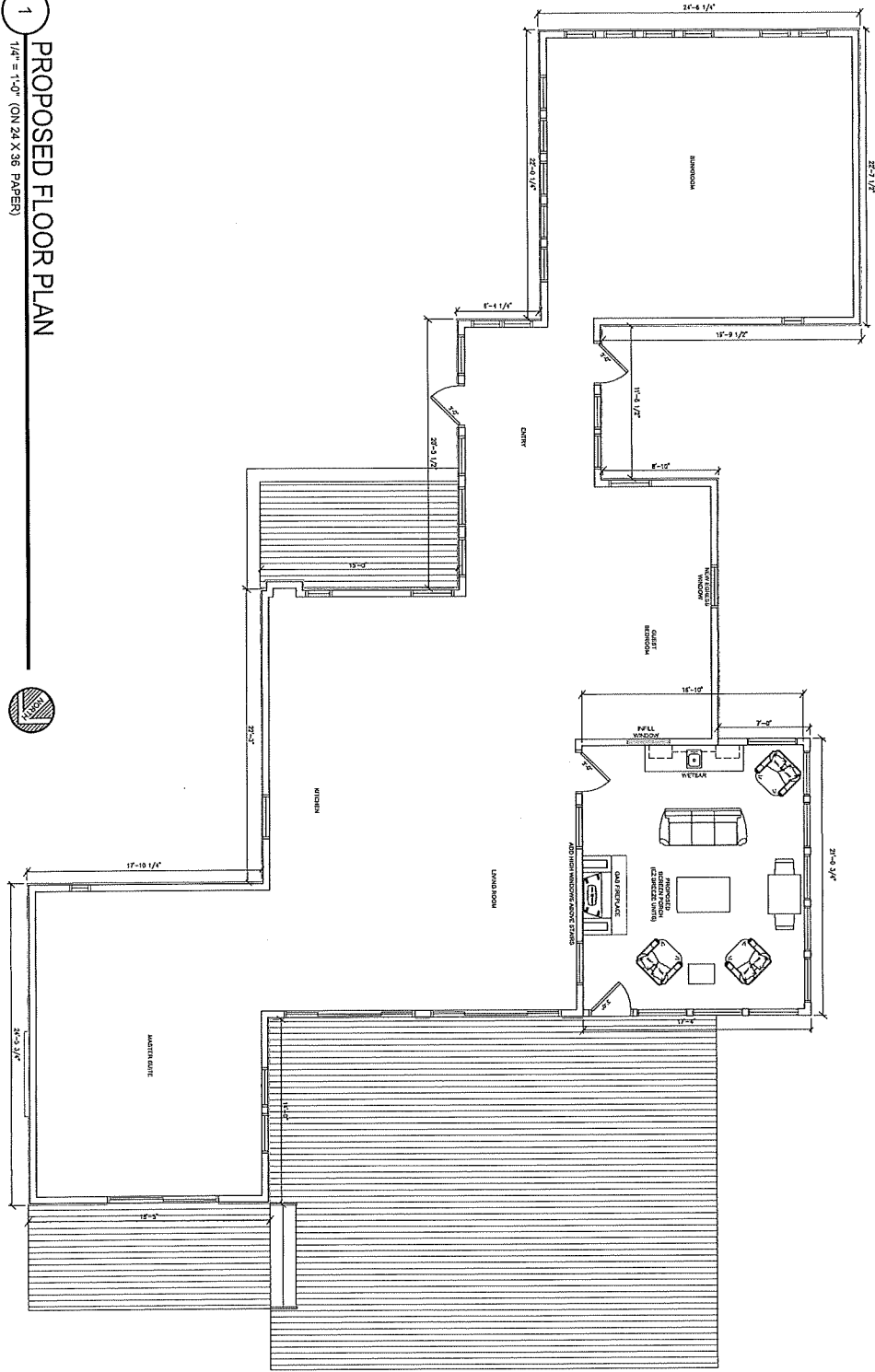


DAN & JILL McBARTY
PORCH ADDITION
 12080 MANHATTEN BEACH BLVD.
 CROSSLAKE, MN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

TRAVIS MILLER	DATE:	LID. # 45743
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1
 1/4" = 1'-0" (ON 24 X 36 PAPER)
PROPOSED FLOOR PLAN



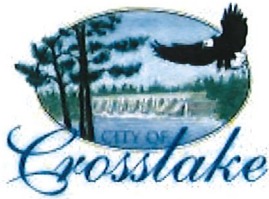
**DAN & JILL McCARTY
 PORCH ADDITION**

12080 MANHATTEN BEACH BLVD.
 GROSSLAKE, MN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

TRAVIS MILLER	DATE:	LIC. # 45743
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9-9-24



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

Receipt Number: 244281 = \$756.00 Permit Number: 240182V

Property Owner(s): Daniel and Jill McCarty

Mailing Address: 4907 Bruce Avenue Eden Prairie MN 55424

Site Address: 12030 Manhattan Blvd Crosslake MN 56442

Phone Number: 612 618 0925

E-Mail Address: dann@sul.com

Parcel Number(s): 14060857 & 14060856

Legal Description: Lot 10 & E/2 Lot 11, Blk 5 Manhattan Beach

Sec 6 Twp 137 Rge 26 27 28

Lake/River Name: Big Trout

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

If yes list Parcel Number(s) _____

Authorized Agent: PAT TROTTER

Agent Address: PO Box 874 Pequot Lakes MN 56472

Agent Phone Number: 218 568 4940

<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
<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 checked="" type="checkbox"/>	Dirt moving in bluff impact zone
<input type="checkbox"/>	_____

Signature of Property Owner(s) _____ Date _____

Signature of Authorized Agent(s) Pat Trotter _____ Date 9-9-24

- All applications must be accompanied by a signed Certificate of Survey
- Fee \$750 for Residential and Commercial Payable to "City of Crosslake" + \$6.00 copies
- 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 9-9-2024 Land Use District 50

Lake Class G0 Septic: Compliance 5-31-2024 SSTS Design na Installation done



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: current deck and house to be consistent
and adjacent properties

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

Yes No

Why: Keep House consistent with adjacent
Roof Lines consistent

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

Yes No

Why: Roof Lines, layout of House on property
consistent to adjacent Homes

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

Yes No

Why: current conditions layout of property



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: