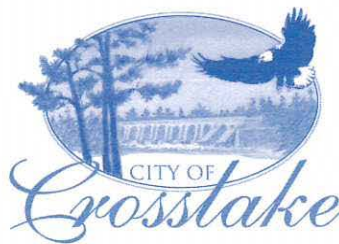


City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



37028 County Road 66  
Crosslake, Minnesota 56442  
[www.cityofcrosslake.org](http://www.cityofcrosslake.org)

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## **CITY OF CROSSLAKE**

### **PLANNING COMMISSION/BOARD OF ADJUSTMENT**

**August 27, 2021**

**9:00 A.M.**

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

### **PUBLIC HEARING NOTICE**

**Applicant:** Ox Lake Holdings LLC (Thomas Stone)

**Authorized Agent:** N/A

**Site Location:** 37560 Ox Lake Landing, Crosslake, MN 56442

**Request a Conditional Use Permit:**

- Residential 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@crosslake.net](mailto:crosslakepz@crosslake.net)).



## STAFF REPORT

Property Owner/Applicant: Ox Lake Holdings LLC (Thomas Stone)

Parcel Number(s): 14090504

Application Submitted: July 12, 2021

Action Deadline: September 9, 2021

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:** N/A

**Request:**

Conditional Use Permit for a residential dwelling

**Current Zoning:**

Limited Commercial

**Adjacent Land Use/Zoning:**

North – Shoreland District

South – Limited Commercial

East – Shoreland District

West – Shoreland District

**Development Review Team Minutes held on June 8, 2021:**

- Property is located at 37560 Ox Lake Landing
- The proposed dwelling unit to be an interior remodel
- Article 10 Land Use Classification List, Sec 26-281 Land Use Table requires a CUP in the Limited Commercial District for a dwelling
- Parking – handicap per state requirements
- Limited Commercial Impervious maximum of 50%
- If your parcel is located within an organization that has restrictions, it would be your responsibility to verify and meet those restrictions
- Design and implement a stormwater management plan (gutters, berm & rain gardens) to update any existing plan, which is required with all conditional use applications and is not required to be on the survey per Article 7, section 26-185, (2)
- A septic compliance inspection is on file dated September 29, 2020 which is equivalent to a 4 bedroom use; septic system currently meets the needs of the CUP; will need to be re-evaluated with a change of use permit in the future
- Wetland Delineation is a requirement for a CUP or a no wetland statement/letter
- A grade and elevation illustration along with the cut & fill calculations if required

- Discussion on application requirements, procedure, schedule and the requirements/need for a complete application packet by the deadline date
- No Land Use Permit is needed for an interior remodel

Property owner was informed that before they could be placed on a public hearing agenda the following information is required:

1. A certificate of survey meeting the requirements outlined in Article 7, Sec. 26-185 of the City Land Use Ordinance
2. The building is existing so a Grade illustration, Elevation illustration and Cut & Fill calculations would not be required
3. Wetland delineation or a no wetland statement/letter
4. A septic compliance is on file
5. A complete Conditional Use Permit application with the \$500.00 public hearing fee

**Parcel History:**

- November 1996 – 90x65 structure for 3 business at 30x65 each
- May 2010 – Replace septic system
- July 2017 – Sign
- October 2020 – Accessory Structure
- September 29, 2020 – Compliant septic Compliance Inspection

**City Ordinance:**

Residential Dwelling – Allowed in Limited Commercial zoning with an approved conditional use permit (Article 10, Sec. 26-281)

**Agencies Notified and Responses Received:**

**County Highway Dept:** N/A

**DNR:** No comments were received as of 8-13-2021

**City Engineer:** N/A

**City Attorney:** N/A

**Lake Association:** No comments were received as of 8-13-2021

**Township:** N/A

**Crosslake Public Works:** No comments were received as of 8-13-2021

**Crosslake Park, Recreation & Library:** N/A

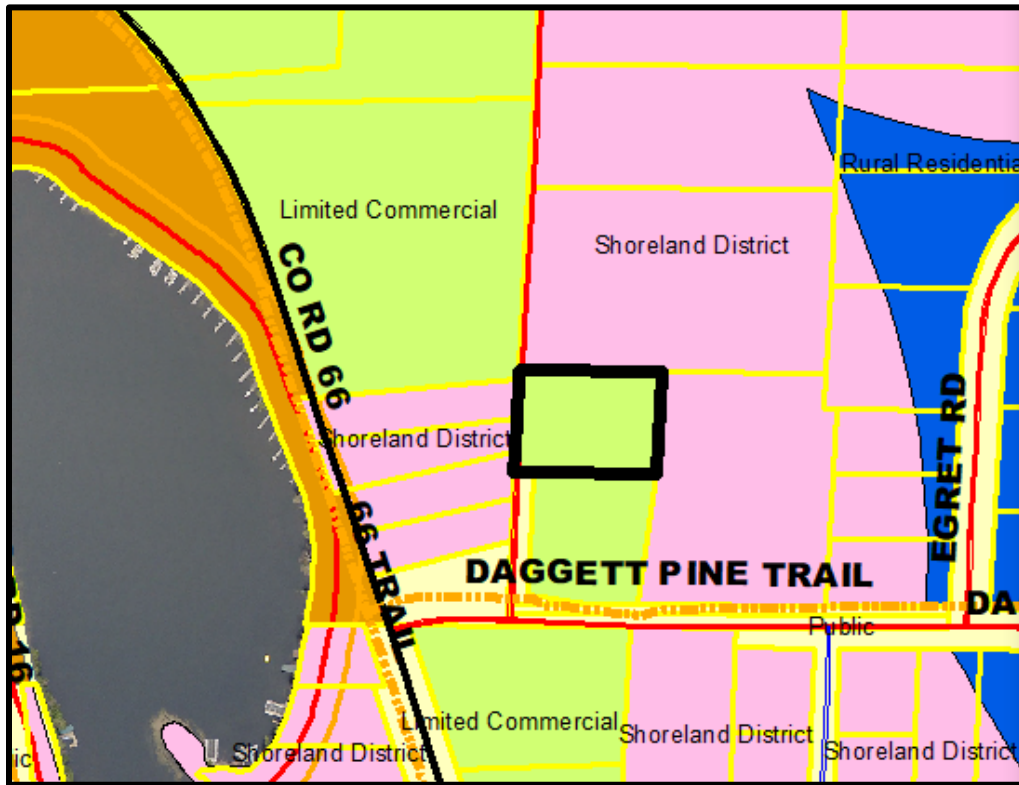
**Concerned Parties:** Letter received with packet from Berglund  
 Letter received with packet from Peterson  
 Letter received with packet from Zenz

**POSSIBLE MOTION:**

To approve/table/deny the Conditional Use Permit for residential dwelling involving approximately 13,034 square foot parcel located at 37560 Ox Lake Landing, Sec 9, City of Crosslake

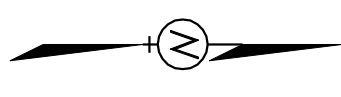
**POSSIBLE CONDITIONS:**

1. Screening requirements per Chapter 26 Land Use Article 28, Sec. 26-738



Building pictures





ORIENTATION OF THIS BEARING  
IS WITH REFERENCE TO THE  
STATE PLANNED  
S&W COUNTY COORDINATE SYSTEM

Northwest corner of the SW 1/4 - NW 1/4  
Sec. 9, Twp. 137, Rng. 27

S 89° 38' 01" E

North line of the SW 1/4 - NW 1/4

S 89° 38' 01" E

20 Residential Property line setback

233.00

233.24

East line of the West 233.00 feet  
of the SW 1/4 - NW 1/4

N 02° 56' 37" E

The North 166.0 feet of the West 233.0 feet of that part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 137, Range 27, lying South of a line running parallel with the North line of said Quarter from a point on the West line distance 900.0 feet Southwesterly from the Northwest corner.

Legal Description - Document #A 905126

This survey was completed without the benefit of a title commitment or title opinion, there may be encumbrances or other limiting factors that affect the subject property that are not shown on this survey. The subject property was reviewed for the existence of wetlands on June 15<sup>th</sup>, 2021, by Kyle Chrem, Minnesota Certified Delimitator Number 1190.

The current zoning classification for the subject property is Limited Commercial.

The Parcel Number for the subject property is 4609304.

37560 Ox Lake Landing  
Crosslake, MN 56442

The property address for the subject property is:

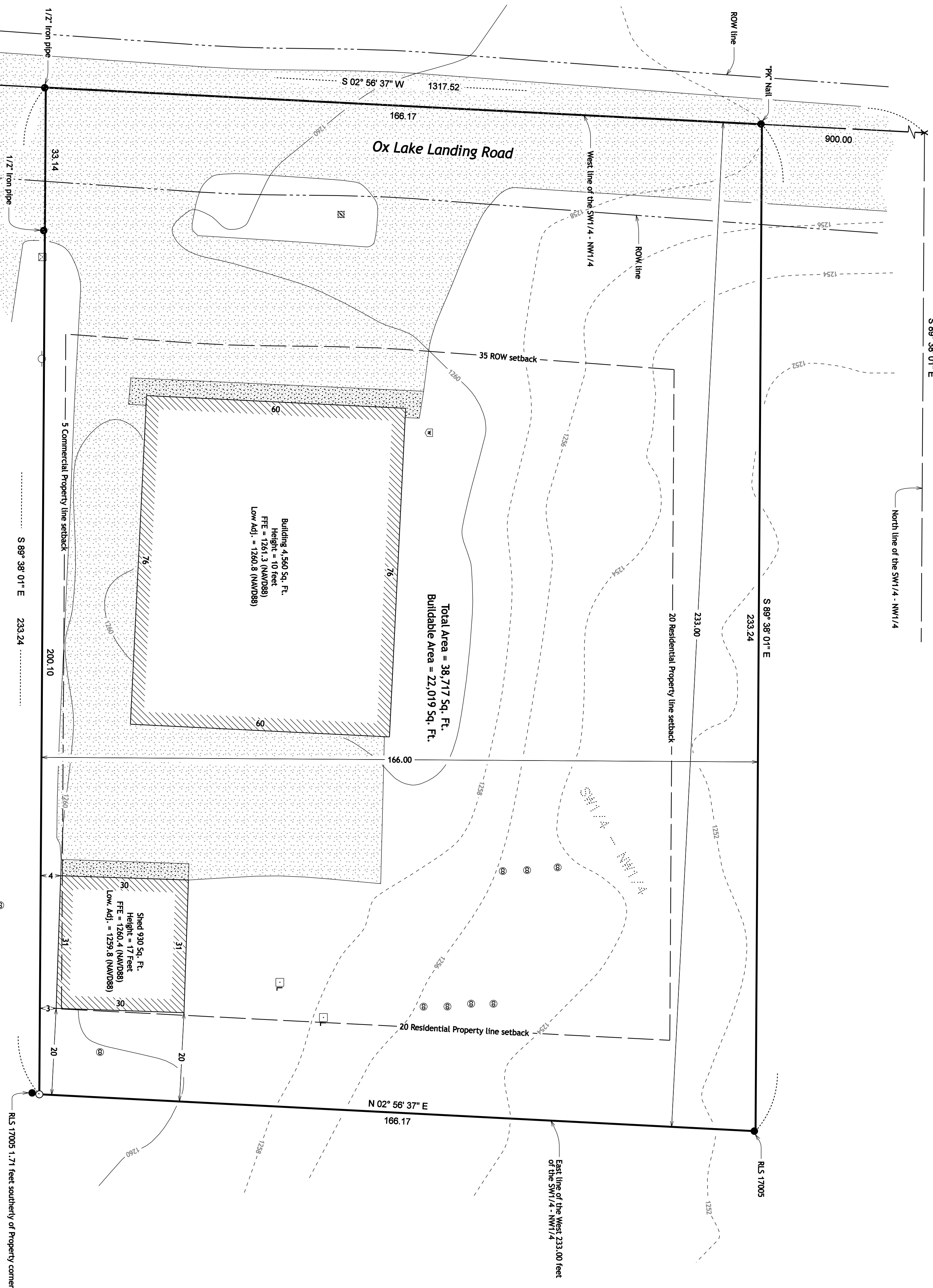
Surveyors Notes

Total Area = 38,717 Sq. Ft.  
Buildable Area = 22,019 Sq. Ft.

Building 4,560 Sq. Ft.  
Height = 10 feet  
FFE = 1261.3 (NAVD83)  
Low Adj. = 1260.8 (NAVD83)

Shed 930 Sq. Ft.  
Height = 17 feet  
FFE = 1260.4 (NAVD83)  
Low Adj. = 1259.8 (NAVD83)

Impervious Calculation (not including right-of-way)  
Total Area (not including right-of-way) = 35,047 Sq. Ft.  
Impervious coverage (not including right-of-way)  
Buildings = 5,490 Sq. Ft.  
Concrete = 301 Sq. Ft.  
Bituminous = 7,243 Sq. Ft.  
Total = 13,034 Sq. Ft. (37.2% Impervious Coverage)



West Quarter corner of  
Sec. 9, Twp. 137, Rng. 27

S 89° 38' 35" E

5460.24

East Quarter corner of  
Sec. 9, Twp. 137, Rng. 27

S 89° 38' 01" E

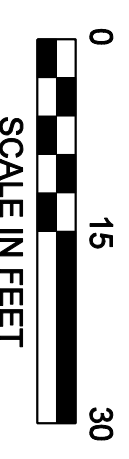
233.24

MAPPING LEGEND

- ☒ CATCH BASIN
- WELL
- UTILITY POLE
- UTILITY PEDESTAL
- SEWER CLEANOUT
- LIFT STATION
- CONTROL (MAJOR)
- CONCRETE
- BITUMINOUS

PROPERTY BOUNDARY LEGEND

- SET IRON PIPE WITH CAP STAMPED "KRAMER 23468"
- FOUND IRON MONUMENT
- X COMPUTED POSITION
- GOVERNMENT SECTION CORNER MONUMENT



NO.	REVISIONS SINCE INITIAL DATE OF	DATE

**KRAMER LEAS DEL E O**  
SURVEYING, ENGINEERING & PLANNING  
SKAISTEN RD. ST. CLOUD  
11202 Industrial Drive  
St. Cloud, MN 56301  
507-325-1000  
52 Cecil Ave. 56302

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *James Kramer*  
James Kramer, MN License No. 2886

07/01/2021  
Date

PROJECT NO. STONT12101

## CERTIFICATE OF SURVEY

### Topographic and Property Boundary Survey

Thomas Stone  
Section 9, Township 137 North, Range 27 West  
Crow Wing County, Minnesota

Swamp



Water flows  
down the driveway  
to the front  
drainage area



RE: CUP for 37560 Ox Lake Landing Rd, Crosslake

Mr. Thomas Stone has spoken with us about his desire to apply for a Conditional Use Permit to allow him to use part of his building located at 37560 Ox Lake Landing Rd. Crosslake, MN 56442 as an efficiency apartment residence for his son as his son goes to CLC College in Brainerd. As an immediate neighbor to this property, I wish to make it known that I have no issue with Mr. Stone using the property in this manner and we support him in his efforts to acquire the needed permit.

Sincerely,

Printed name William E Berglund

Signed William E Berglund

Contact number Office # 218-692-5565  
Cell # 218-820-1574

Property Address Home Interior Supply

37542 OX LAKE LANDING.  
CROSSLAKE MN 56442

RE: CUP for 37560 Ox Lake Landing Rd, Crosslake

Mr. Thomas Stone has spoken with us about his desire to apply for a Conditional Use Permit to allow him to use part of his building located at 37560 Ox Lake Landing Rd. Crosslake, MN 56442 as an efficiency apartment residence for his son as his son goes to CLC College in Brainerd. As an immediate neighbor to this property, I wish to make it known that I have no issue with Mr. Stone using the property in this manner and we support him in his efforts to acquire the needed permit.

Sincerely,

Printed name Shawn Peterson

Signed [Signature]

Contact number 612-210-2430

Property Address 13751 Duggutt Pine Rd  
Crosslake, mn. 56442



RE: CUP for 37560 Ox Lake Landing Rd, Crosslake

Mr. Thomas Stone has spoken with us about his desire to apply for a Conditional Use Permit to allow him to use part of his building located at 37560 Ox Lake Landing Rd. Crosslake, MN 56442 as an efficiency apartment residence for his son as his son goes to CLC College in Brainerd. As an immediate neighbor to this property, I wish to make it known that I have no issue with Mr. Stone using the property in this manner and we support him in his efforts to acquire the needed permit.

Sincerely,

Printed name DAVID ZENZ  
Signed David P Zenz  
Contact number 263-516 6775

Property Address 13820 Daggitt Pine RD  
Crosslake. MN  
56442



Conditional/Interim Use Permit Application

Planning and Zoning Department

37028 County Rd 66, Crosslake, MN 56442

218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

Receipt Number: 969518

Permit Number: 210147C

Property Owner(s): OX Lake Holdings LLC (Thomas Stone)
Mailing Address: 2704 Vally View Rd Burnsville 55306
Site Address: 37560 Ox Lake Landing, Crosslake 56442
Phone Number: 952-221-4241
E-Mail Address: Thomas@MRI-MN.com

(Check applicable requests)
Residential & Related Uses:
Specify Residential Dwelling
Shoreland District
Rural Residential District (5 A Min.)
Sensitive Shoreland District
[X] Limited Commercial District
Downtown Commercial District
Waterfront Commercial District
Commercial/Light Industrial District

Parcel Number(s): 14090504
Legal Description: The N. 166' of the W 233ft... Document # A-905126

Recreational Uses:
Specify
Shoreland District
Rural Residential District (5 A Min.)
Limited Commercial District
Waterfront Commercial District
Commercial/Light Industrial District

Sec 9 Twp 137 Rge 26 [ ] 27 [X] 28 [ ]

Land Involved: Width: 166.17 Length: 233.24 Acres: .89

Lake/River Name: N/A

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

If yes, list Parcel Number(s)

Authorized Agent: N/A

Agent Address: N/A

Agent Phone Number: N/A

Signature of Property Owner(s) [Signature]

Date 7-9-21

Signature of Authorized Agent(s) N/A

Date

Civic, Edu & Institutional Uses:
Specify
Shoreland District
Rural Residential District (5 A Min.)
Limited Commercial District
Waterfront Commercial District
Commercial/Light Industrial District

Commercial & Industrial Uses:
Specify
Shoreland District
Rural Residential District (5 A Min.)
Sensitive Shoreland District
Limited Commercial District
Downtown Commercial District
Waterfront Commercial District
Commercial/Light Industrial District

- All applications must be accompanied by a site plan
Fee \$500 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 CS Date 7-12-2021 Land Use District LC Lake Class N/A

Septic: Compliance 9-29-2020 SSTS Design ? Installation

City of Crosslake Planning Commission/Board of Adjustment

Conditional Use Permit Application

Findings of Fact

Supporting/Denying a Conditional Use Permit Request

Findings shall be made in either recommending approval or denial of a Conditional Use Permit application, and should reference Chapter 26, Article 7 of the City of Crosslake Ordinance. The following questions are to be considered, but are not limited to:

- (1) Will the proposed use impact the health, safety, and general welfare of the occupants in the surrounding neighborhood?

YES  NO

Why?

I just want what used to be the sleeping room for the daycare to be used as my son's bedroom while he

- (2) Does the proposed use meet the standards of this Chapter?

YES  NO

Why?

By Commissioners

- (3) Will the proposed use meet goals and policies adopted within the Crosslake Comprehensive Plan?

YES  NO

Why?

By Commissioners

- (4) Will the proposed use adversely affect property values and future development of the land in the surrounding neighborhood?

YES  NO

Why?

There are no external changes being made & the majority of the property will still be used for office/commercial space

- (5) Will the proposed use negatively impact public utility, public services, roads and schools?

YES  NO

Why?

Use of the space proposed should not need any significant power usage, policing or usage of any public resources. It's just a bedroom/office.

(6) Will the proposed use impact the environment adversely, considering its impact on groundwater, surface water and air quality?

YES

NO

Why? *Use as a bedroom efficiency will not produce any waste that would impose on the environment adversely.*

(7) Are the water supply, public sewer or subsurface sewage treatment system facilities, erosion control and stormwater management provided for pursuant to applicable standards of the Ordinance?

YES

NO

Why?

*Not affected*

City of Crosslake Planning Commission/Board of Adjustment

Conditional Use Permit Application

Findings of Fact

Supporting/Denying a Conditional Use Permit Request

*Findings shall be made in either recommending approval or denial of a Conditional Use Permit application, and should reference Chapter 26, Article 7 of the City of Crosslake Ordinance. The following questions are to be considered, but are not limited to:*

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YES  NO

Why?

- (2) Does the proposed use meet the standards of this Chapter?

YES  NO

Why?

- (3) Will the proposed use meet goals and policies adopted within the Crosslake Comprehensive Plan?

YES  NO

Why?

- (4) Will the proposed use adversely affect property values and future development of the land in the surrounding neighborhood?

YES  NO

Why?

- (5) Will the proposed negatively impact public utility, public services, roads and schools?

YES  NO

Why?

(6) Will the proposed use impact the environment adversely, considering its impact on groundwater, surface water and air quality?

YES  NO

Why?

(7) Are the water supply, public sewer or subsurface sewage treatment system facilities, erosion control and stormwater management provided for pursuant to applicable standards of the Ordinance?

YES  NO

Why?