

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 27, 2021

9:00 A.M.

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

### PUBLIC HEARING NOTICE

**Applicant:** Greg C & Roseanne Haglin

**Authorized Agent:** Arro Land Surveying of Brainerd Inc, Eric Lee

**Site Location:** 36448 Pine Bay Rd & 36308 Pine Bay Cir, Crosslake, MN 56442

**Variance for:**

- Density/lot size of 2 acres where 5 acres are required

**To allow:**

- 2+ acre parcels in a Rural Residential 5 (RR5) district

**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: Greg C & Roseanne Haglin

Parcel Number(s): 14150519, 14150501

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:** Arro Land Surveying of Brainerd Inc, Eric Lee

**Variance for:**

- Density/lot size of 2 acres where 5 acres are required

**To allow:**

- 2+ acre parcels in a Rural Residential 5 (RR5) district

**Current Zoning:** Rural Residential 5 (RR5) District

**Existing Impervious Coverage:**

0.0%

- A stormwater management plan is not needed
- Septic site suitabilities were submitted

**Proposed Impervious Coverage:**

0.0%

**Development Review Team Minutes held on 6-17-2021:**

- Property is located at 36448 Pine Bay Rd & 36308 Pine Bay Cir, Crosslake, MN 56442
- Proposed to split the 29.3 acre parcels into a 13 parcel (is currently 2 parcels) plat with a proposed plat name of: The Woods of Crosslake
- Access from Pine Bay Road; asphalt road in the plat is proposed to accommodate the road drainage and utilities with a proposed name of Serenity Lane; want the road to become a city road; road will need to meet the required road standards, so he will work with Ted Strand and the city engineer, Phil Martin of Bolton-Menk (218-821-7265)
- Owner to work with Mike Lyonais concerning the Developer Agreement
- Strand mentioned that Haglin should reach out to the post office to discuss mailbox placement(s)
- The parcel is located within a plat and/or an organization that may have restrictions, you would need to verify those restrictions and clarify that your request is approved by the organization or allowed in the plat
- The parcels are located in two different plats
- Covenants for the newly created plat to be submitted with application
- Any easements to be shown on the survey

- Title commitment – shows current legal description
- Two septic site suitabilities for each parcel will be required
- Stormwater to be taken care of during the construction of the road & the development of the lots
- Wetland Delineation is a requirement or a no wetland statement/letter
- Planning Commission/Board of Adjustment decides the variance and a recommendation to the Crosslake City Council for the plat
- From the approval date of the preliminary plat you are allowed 1 year to submit the final plat to the city council or the approval becomes void
- Failure to record a signed deed(s)/mylar within 2 (two) years of subdivision approval by the city council shall void the approval of this plat
- Discussion on application requirements, procedure, schedule, fee, park dedication fee was explained; approval/appeal (through the court system) process and the requirements/need for a complete application packet by 4:30 PM of the deadline date; payment policy; notification methods; variances are limited to 2 years

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 Chapter 44 of the Code of Ordinances of the City of Crosslake for the plat
2. A certificate of survey meeting the requirements outlined in Article 8, Sec. 26-222 of the City Land Use Ordinance for the variance
3. An authorized agent form completed, signed and dated if applicable
4. Wetland delineation or a no wetland statement/letter
5. Septic site suitabilities-2 per parcel
6. A complete Variance application with the \$500.00 public hearing fee
7. A complete Subdivisions application with all required paperwork
8. The residential public hearing fee: \$500 + \$100 per new lot; Final \$500 + \$25 per new lot
9. Upon recommendation from the Planning Commission/Board of Adjustment to the City Council and before the city council meeting a park dedication fee of \$1,500.00 or 10% of land per new lot or a combination thereof as outlined in Chapter 44, Sec. 44-402 is required for newly created lots

#### **Parcel History:**

- CIC #1030 Pineview 1<sup>st</sup> Amended CIC Plat established in 2000 for parcel 14150501
  - Pineview Addition to Crosslake established in 1999 for parcel 14150519
- Vacant parcels with no permit history

#### **Agencies Notified and Responses Received:**

**County Highway Dept:** N/A

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

**City Engineer:** N/A

**Lake Association:** N/A

**Township:** N/A

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

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

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

#### **POSSIBLE MOTION:**

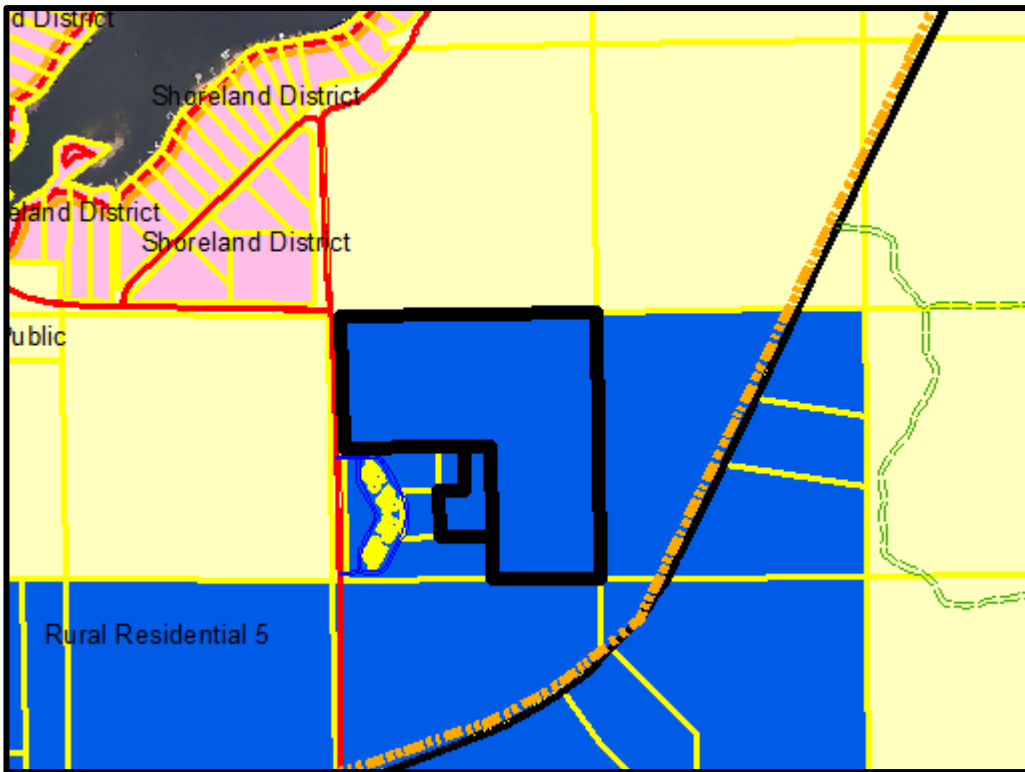
To approve/table/deny the variance to allow:

- Density/lot size of 2 acres where 5 acres are required

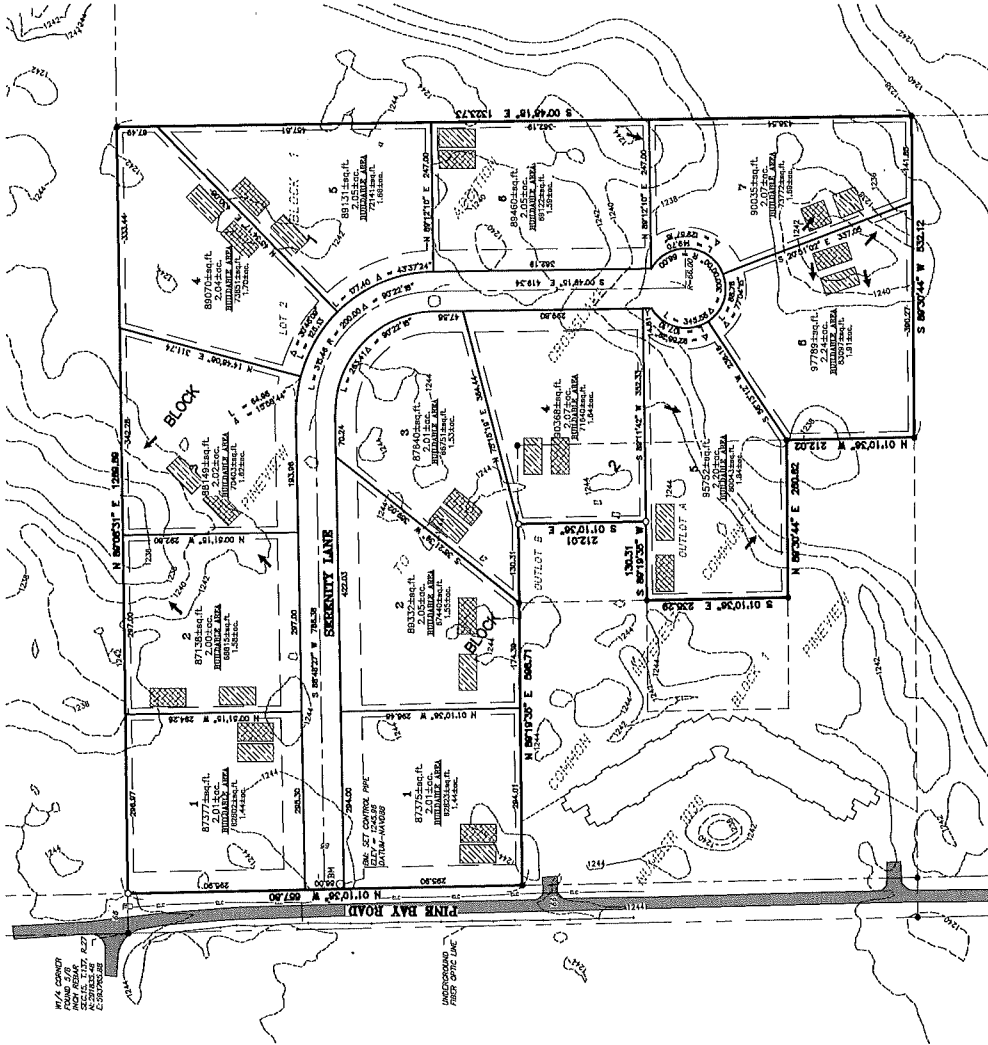
**To allow:**

- 2+ acre parcels in a Rural Residential 5 (RR5) district

As shown on the certificate of survey dated 7-12-2021



# CERTIFICATE OF SURVEY

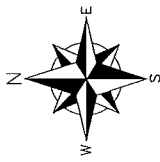


**EXISTING DESCRIPTION** - (As Per Doc. No. - A916971 Parcel No.: 14150501, 14150519, 14150520)

Lot 2, Block 1, Pineview Addition to Crosslake, Crow Wing County, Minnesota, and  
 Outlet A, Common Interest Community No. 1030, Pineview, a Condominium First Amended CIC Plat,  
 according to the plat thereof on file at the Crow Wing County Minnesota Recorder's Office, lying westerly of  
 the following described line: Beginning at the southwest corner of Outlet B, said Common Interest Community  
 Number 1030 Pineview, a Condominium First Amended CIC Plat; thence South 01 degrees 11 minutes 33  
 seconds East, bearing based on said Common Interest Community Number 1030, Pineview, a Condominium  
 First Amended CIC Plat, 235.28 feet along the southeasterly extension of the west line of said Outlet B, to the  
 south line of said Outlet A, and said line there terminating;  
 and  
 Outlet B, Pineview Addition to Crosslake, Crow Wing County, Minnesota.

**SURVEYOR'S NOTES:**

1. Bearing Orientation is based on Crow Wing County Coordinate System NAD 83/2011.
2. Benchmark Set Arro Control Pipe
3. The field survey was completed on 07/07/2021.
4. Arro Land Surveying of Brainerd, INC. has made no investigation or independent search for easements or record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
5. It was verified that there are no wetlands present on the site by Mitch Brinks, Certified Wetland Delineator, on July 9, 2021.
6. Property Zoning: Rural Residential S
7. Setback Requirements: R-O-W Line = 35 feet Property Line = 10 feet
8. Subject Property is non-riparian.
9. The total area of the property is 1278559± square feet/29.35± Acres.



GRAPHIC SCALE



( IN FEET )  
 1 inch = 200 ft.

- LEGEND**
- REPRESENTS IRON PIPE SET AND MARKED WITH FILE
  - REPRESENTS FOUND BLS CAP (NAILS)
  - REPRESENTS TYPHOON HOLE
  - ▭ REPRESENTS BRIMBUSH SURFACE
  - ▨ REPRESENTS FLAGGED UNDERGROUND ELECTRIC LINE
  - ▩ REPRESENTS PRIMARY SEPTIC SITE
  - ▧ REPRESENTS ALTERNATE SEPTIC SITE

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.

Dated this 12th day of July, 2021  
 By: [Signature]  
 Jared A. Spald, Minnesota License No. 59785

**BOUNDARY SURVEY**  
 Part of Pineview Addition to  
 Crosslake & CIC 1030 Pineview  
 Crow Wing County, MN

**CLIENT: Greg Haglin**  
**Property Address:**  
 36308 Pine Bay Road  
 Crosslake, MN 56442

DRAWN BY: JAS.	CHECKED BY: JEL.	JOB NUMBER: 20-1208
APPROVED BY: JAS.	REVISION DESCRIPTION:	
NO. DATE BY		

# EXHIBIT

PINE BAY ROAD

**PARCEL 1**  
87377±sq.ft.  
2.01±ac.

**PARCEL 2**  
87138±sq.ft.  
2.00±ac.

**PARCEL 3**  
88149±sq.ft.  
2.02±ac.

**PARCEL 4**  
89070±sq.ft.  
2.04±ac.

**PARCEL 5**  
89131±sq.ft.  
2.05±ac.

**PARCEL 13**  
87375±sq.ft.  
2.01±ac.

**PARCEL 12**  
89332±sq.ft.  
2.05±ac.

**PARCEL 11**  
87640±sq.ft.  
2.01±ac.

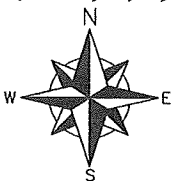
**PARCEL 6**  
89460±sq.ft.  
2.05±ac.

**PARCEL 10**  
90368±sq.ft.  
2.07±ac.

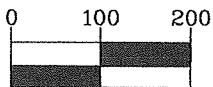
**PARCEL 9**  
89575±sq.ft.  
2.20±ac.

**PARCEL 7**  
90035±sq.ft.  
2.07±ac.

**PARCEL 8**  
97789±sq.ft.  
2.24±ac.



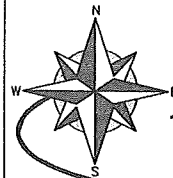
GRAPHIC SCALE



( IN FEET )  
1 inch = 200 ft.

## EXHIBIT

36308 Pine Bay Circle  
Crosslake, MN 56442

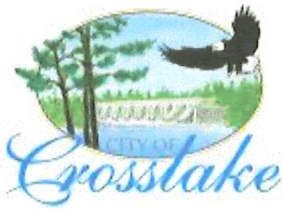


20394 Division Rd. 217 1st Ave. N.  
Brainerd, MN 56401 White Park, MN 56487  
(218)820-4437 (202)341-6247

**ARRO**

Land Surveying  
of Brainerd, INC.





**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: 969519

Permit Number: 210148V

Property Owner(s): Greg C. and Roseanne Haglin

Mailing Address: p.o. box 258 Crosslake, MN 56442

Site Address: 36448 Pine Bay Rd & 36308 Pine Bay Cir., Crosslake, MN 56442

Phone Number: 218-894-6815

E-Mail Address: greg@haglin.org

Parcel Number(s): 14150519 & 14150501

Legal Description: Lot 2 Block 1, Pineview addition to Crosslake & Outlot A CIC #1030 Pineview 1st amendment CIC

Sec 15 Twp 137 Rge 26  27  28

Lake/River Name: N/A

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

If yes list Parcel Number(s) 14150520

Authorized Agent: Eric Lee - arrow Land Surveying

Agent Address: 20396 Division Rd, Brainerd, mn 56401

Agent Phone Number: 218-820-4437

<u>Variations</u>	
(Check applicable requests)	
<input type="checkbox"/>	Lake/River Setback
<input type="checkbox"/>	Road Right-of-Way Setback
<input 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"/>	<u>Density</u>
<input checked="" type="checkbox"/>	<u>Lot size</u>

Signature of Property Owner(s) Greg C Haglin Roseanne Haglin Date 7/9/21

Signature of Authorized Agent(s) \_\_\_\_\_ Date \_\_\_\_\_

- All applications must be accompanied by a signed Certificate of Survey #6 copies
- 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 RR5

Lake Class 7/A Septic: Compliance 7/A SSTS Design 7/A Installation 7/A  
\* Site Suitabilities



## 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 zoning is RR5. Meeting minutes from the Dec. 6, 2019 joint planning commission/council meeting indicated a desire for a medium density zoning. The minutes, however, state that a decision was made to approach this through a variance process rather than a new zoning ordinance. Our plat is reasonably within the scope of that discussion.

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

Yes  No

Why:

This property is adjacent to a high-density CIC community (Pineview), and across the street from shoreland zoning. Our proposed plat will blend nicely with the surrounding area, while maintaining a rural neighborhood environment. This will be a nice transition between the high-density zoning and the surrounding region.

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

Yes  No

Why:

We purchased this property after the CIC plat and the RR5 zoning were implimented, and were not participants in either.

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

Yes  No

Why:

This plat would create a residential solution not currently available in The City today. A plat within current zoning would actually be more fiscally advantageous for us than the cost of a city street, but we want to create a neighborhood done right. We propose a tar city street, spacious forested lots, created with exemplary design for a neighborhood with high level of homeowner appeal.





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: