



Staff Report

Property Owner: Tracts LLC

Parcel Number: 77200626

Physical Address: 29655 E Horseshoe Lake Road, Merrifield, MN 56465

Location: Located on THAT PT OF GL 2, SEC 20 DESC AS FOLL: COMM AT THE SE COR OF SD GL 2; THEN N 01D 53'02"W ASSUM BEAR, ALG THE E LINE OF SD GL 2 FOR A DIST OF 825.11 FT TO THE N LINE OF THE S 825.00...; Mission Township, Crow Wing County, Minnesota

Application Submitted: 03/18/2024

Action Deadline: 05/18/2024

60 Day Waiver: N/A

Wetland – Winter window signed: 03/05/2024

Septic Design – Winter window signed: 03/05/2024

Current Zoning: Shoreland District & Rural Residential 5

Adjacent Land Use/Zoning:

North: Shoreland District

South: Shoreland District

East: Shoreland District and Rural Residential

West: Horseshoe Lake and Shoreland District

Request:

After-The-Fact Variance for:

1. An OHW setback of 85 feet to dwelling, where 100 feet is required.
2. An OHW setback of 93 feet to screen porch, where 100 feet is required.

To Allow:

- A 2,290 square foot dwelling with attached garage, and a 192 square foot screen porch, per Certificate of Survey received 03/20/2024.

Existing Impervious Coverage: 16.4%

Proposed Impervious Coverage: 19.0% (*for proposed covered entry and concrete which is allowed per Ordinance)

04-04-2024 On-Site Comments: Maske, Best, Auge, Hausmann, Pence, Griffin

- There is one similar structure to the south with a similar setback.
- The dwelling to the north appears to be further back from Horseshoe Lake.
- The only part of the dwelling not meeting the lake setback is the bump-out towards Horseshoe Lake.
- The shoreline is well vegetated.
- Consider conditioning a stormwater management plan.

02/26/2024 - Development Review Team Meeting Notes:

- Reviewed the proposal
 - After-the-fact request for a variance
 - Discussed the history of what happened, and the steps taken
 - Permit was applied for the structure
 - OHW setback was not correct
 - ESS went to the site multiple times, and it was determined structure is too close to the lake
 - Estimate is 14 feet too close to the lake
 - Two different datum's used

- Reviewed the GIS map and property
- Ranweiler reviewed where they are at with construction
 - Project is on hold but need to finish part of second floor that is currently unsafe
 - County acknowledges and agrees to this
- Discussion on lake setback and communication with ESS
- Mission TWP comments:
 - Question on how this happened
 - Pence discussed
 - Elevation level and benchmark review
- DNR comments:
 - Recommend following the process with the county for a variance
- No comment from Stephanie
- Waiving all fees for the variance application
- Reviewed items needed for variance
 - Certificate of survey will be required
 - Wetland delineation required
 - Septic design required
 - Winter window can be signed for wetland and septic design
- Reviewed what the process will be
- Discussion on billing county for fees
- Ranweiler asked about a special meeting for a Public Hearing
- This proposal will be a potential issue for the neighbors and lake association
- Nicole to send next steps

Tracts LLC

Parcel #77200626 2.17 Acres Zoning: Shoreland; Horseshoe Lake (RD)

This parcel is not platted.

This Parcel is Abstract Torrens – Recording fees will be: \$46.00

Permit History:

- **01/16/2024 – Building permit for the construction of the 42x32 dwelling, 12x14 porch, and 26.5x26 attached garage**

Agencies Notified and Responses Received:

Mission Township: No comment received as of 04/04/2024

MNDNR: No comment received as of 04/04/2024

SWCD: No comment received as of 04/04/2024

Lake Association: No comment received as of 04/04/2024

Citizen Correspondence: No comment received as of 04/04/2024

Potential Conditions:

Request:

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To Allow:

- **A 2,290 square foot dwelling with attached garage, and a 192 square foot screen porch, per Certificate of Survey received 03/20/2024.**

Per findings of fact discussed 04/18/2024, on-site conducted 04/04/2024, and as shown on the Certificate of Survey received 03/20/2024 at the Land Services Department; Located on THAT PT OF GL 2, SEC 20 DESC AS FOLL: COMM AT THE SE COR OF SD GL 2; THEN N 01D 53'02"W ASSUM BEAR, ALG THE E LINE OF SD GL 2 FOR A DIST OF 825.11 FT TO THE N LINE OF THE S 825.00...; Mission Township, Crow Wing County, Minnesota