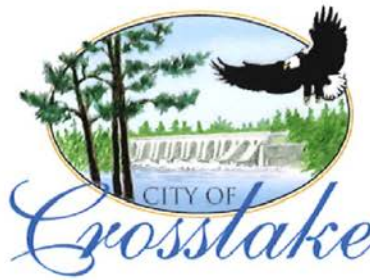


City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



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

CITY OF CROSSLAKE

PLANNING COMMISSION/BOARD OF ADJUSTMENT

July 24, 2026
9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: Daniel & Kimberly Kelly

Authorized Agent: Dan Whirley of LiV4 Architecture

Site Location: 38211 Whitefish Road, Crosslake, MN 56442 on Whitefish - GD

Variance for:

- Road right-of-way (ROW) setback of 5.0 feet where 10 feet is required to proposed septic system

To construct:

- A new septic system

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 & Kimberly Kelly

Parcel Number(s): 14060518

Application Submitted: June 8, 2026

Action Deadline: August 7, 2026

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

Applicant Extension Received / Request: NA / NA

City Council Date: NA

Authorized Agent: Dan Whirley of LiV4 Architecture

Variance for:

- Road right-of-way (ROW) setback of 5 feet where 10 feet is required to proposed septic

To construct:

- A new septic system

Current Zoning: Shoreland District

Existing Impervious Coverage:

23.7%

- A stormwater management plan was submitted with the variance application
- Septic design was submitted for approval pending variance outcome

Proposed Impervious Coverage:

23.7%

Parcel History:

- White-Island Beach established in 1984
- April 2024 – Shoreland alteration: Stairway, stairway landing, dirt moving
- August 2024 – 3423sf house with attached garage; 400sf entry & covered porch; septic system
- No Certificate of Installation as of yet

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:

- Road right-of-way (ROW) setback of 5.0 feet where 10 feet is required to proposed septic system

To construct:

- A new septic system

As shown on the certificate of survey dated 6-4-2026



LEGAL DESCRIPTION: (P&A) CERTIFICATE OF TITLE DOCUMENT NO. T-323980

LOT SIX (6), BLOCK ONE (1) WHITE ISLAND BEACH, ACCORDING TO THE PLAT THEREOF ON FILE AND RECORD IN THE OFFICE OF THE REGISTRAR OF TITLES IN AND FOR SAND COUNTY, MINNESOTA.
SUBJECT TO FLOWAGE RIGHTS IN DEED, BOOK 57 OF DEEDS, PAGE 602.

GENERAL NOTES

- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Boundaries shown are based upon the Cross Wing County Coordinate System.
- The underground utilities shown have been located from field survey information. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service or abandoned.
- No wetlands were found by White Island Surveyors, a no wetland determination is on file at the County.
- Total area of subject property: +/- 20,454 Sq. Ft./0.46 Acres. Buildable area = 7,255 Sq. Ft.
- Setbacks shown herein are to be verified by local governing unit, prior to any new construction.
- PID #: 16060518
- The property is currently zoned Shoreland Residential.

LEGEND

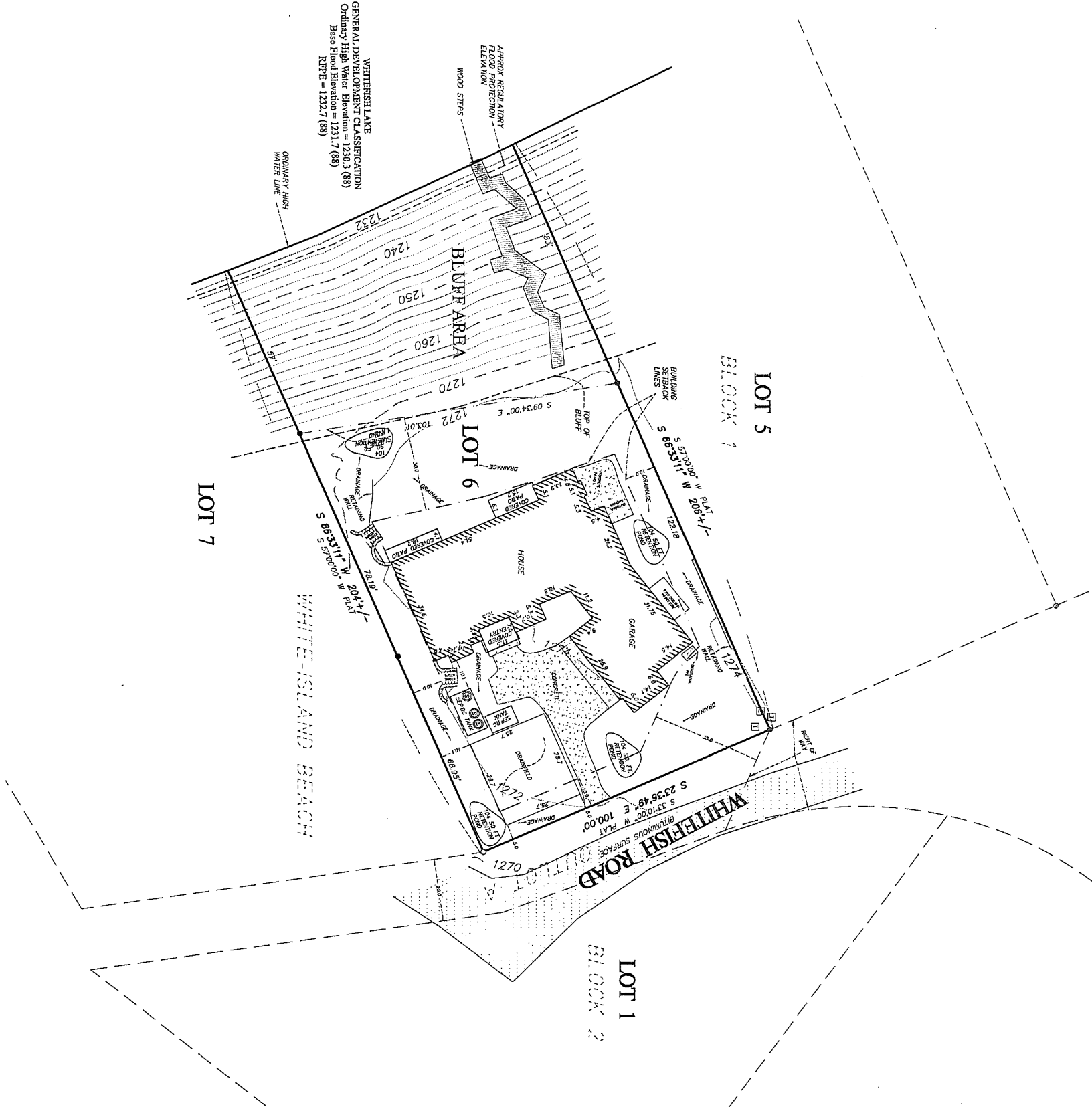
- DENOTES FOUND MONUMENT
- DENOTES SET 1/2"x1/4" IRON PIPE WITH CAP # 50319
- ⓔ DENOTES ELECTRIC BOX
- ☎ DENOTES TELEPHONE BOX

PROPOSED IMPERVIOUS CALCULATIONS			
	IMPERVIOUS AREA (SQ. FT.)	GROSS AREA (SQ. FT.)	PERCENT IMPERVIOUS
HOUSE - GARAGE COVERED PATIOS	3,584	20,454	17.52%
CONCRETE	1,263	20,454	6.17%
TOTAL	4,847	20,454	23.70%



Date: 6/4/26

26-027 CTF01.dwg



Revisions:

Prepared for:

DANIEL & KIMBERLY KELLY

LOWER WHITEFISH LAKE

Crosslake, Minnesota

CERTIFICATE OF SURVEY

Permit #: 240158
8/28/24

rec'd 10/24/25
Locate: 11/25 - 12/9/25

Crow Wing County Trench/Pressure Bed Design

Property Owner: DANIEL KELLY Date: 8/12/24
Mailing Address: 6625 HIALEAH DR.
City: DALLAS State: TX Zip: 75204
Home Phone Number: 58203 Cell: -
Site Address: TBD WHITEFISH RD City: CROSSLAKE Zip: 56442
Driving directions: BETWEEN 38225 AND 38203
CONTACT: SCOTT BURNELL - WES (JANSON) PLANS 218.821.8137
Legal Description: LOT 6 BLK 1 WHITE ISLAND BEACH
Sec: 6 Twp: 137 Range: 27 Township Name: CITY OF CROSSLAKE
Parcel Number 14060518
Lake/ River: WHITEFISH Lake/River Classification: GD

Flow Data

Number of Bedrooms: 5
Dwelling Classification: I II III
System Type: I II III IV V
GPD: 750

Estimated Flow in Gallons per Day (GPD)			
Bedrooms	Class I	Class II	Class III
2	300	225	180
3	450	300	218
4	600	375	256
5	750	450	294
6	900	525	332
7	1050	600	370
8	1200	675	408

Wells

Deep Well: Y or (N) Proposed or Existing
Shallow Well: Y or (N) Proposed or Existing
Wells to be sealed (if applicable)? COMMUNITY WELL

Setbacks

Tank(s) to: Well 50' Drainfield to: Well 50' Sewer Line to well: 50' +
House 10' House 20' Air Test (Y or N) N
Property Line 10' Property Line 10'

Designer Name: Tom Espersen License Number: 1719
Address: 22324 Echo Lane Merrifield MN, 56465
Cell Phone: 218-820-4520 E-Mail Address: tom.espersen54@gmail.com

I hereby certify that I have completed this work in accordance with all applicable requirements.
Designer Signature: Tom Espersen Date: 8/12/2024

Crow Wing County Trench/Pressure Bed Design

Property Owner: DANIEL KELLY

Date: 8/12/24 Designer's Initials: RD

Tank Sizing

- A. Septic Tank Capacity: 2250 Gallons
 Compartmentalized (Y or N): N Filter (Y or N): OPTIONAL
 Garbage Disposal (Y or N): Bsmt. Lift Station (Y or N): 4
- B. Pump Tank Capacity: 750 Gallons (7080,2100) (1PUD)
- a. Alarm Type: ELBET

Septic Tank Capacity		
Bedrooms	Minimum	GD/BL
5 or less	1,500	2,250
6 or 7	2,000	3,000
8 or 9	2,500	3,750

Soils

- C. Depth to Restricting Layer: 3.5 ft.
 D. Native SSF: .83 (Perc. Rate [Optional] MPI)

REMOVE LOAMY OVERBURDEN
 REPLACE WITH WASHED SAND
 APPROX. 70 YARDS

Rock Trenches

- E. 6 in. Trench Depth GPD × D = sq. ft.
 F. 12 in. Trench Depth GPD × D × .8 = sq. ft.
 G. 18 in. Trench Depth GPD × D × .66 = sq. ft.
 H. 24 in. Trench Depth GPD × D × .6 = sq. ft.
 I. Divide Sq. Ft. by Trench Width for lineal feet (E-H) ÷ = Lineal Feet
 J. Sq. Ft. of Trenches ft. × Rock Depth (Trench Depth + 0.5 ft.) ft. ÷ 27 = yds³ of rock

Chamber Trenches

- K. Brand: Length of one chamber: Width of one chamber:
 L. 6-11 in. Chamber Depth GPD × D = sq. ft.
 M. 12 in. Chamber Depth GPD × D × .8 = sq. ft.
 N. Divide Sq. Ft. by Trench Width for lineal feet (L-M) ÷ = Lineal Feet
 O. Divide Lineal Feet by Chamber Length for Total Chambers Needed (Round Up) N ÷ Chamber Length:

Seepage/Pressure Beds

- P. Seepage Bed GPD × D × 1.5 = sq. ft.
 a. Bed Dimensions ft. × ft.
 b. Bed Length ft. × Bed Width ft. × Rock Depth ft. ÷ 27 = yds³ of rock
- Q. Pressure Bed GPD × D = sq. ft.
 a. Bed Dimensions 25 ft. × 25 ft.
 b. Bed Length 25 ft. × Bed Width 25 ft. × Rock Depth 1 ft. ÷ 27 = 23 yds³ of rock

Additional System Notes and Information:

Crow Wing County Trench/Pressure Bed Design

Property Owner: DANIEL KELLY Date: 8/12/24 Designer's Initials: PK

Please record the depths of all horizons, redoximorphic features, restricting layers, and saturated soils. Include all chroma and hue values.

#1 Proposed Site

Depth (in.)	Texture	Color
0-12	T. SOIL	10YR 3/2
12-24	L. SAND	7.5YR 5/4
24-32	L. SAND	10YR 4/4
32-42	SAND	10YR 3/6
42	SAND/ROCK	10YR 4/4

#1 Alternate Site

Depth (in.)	Texture	Color

#2 Proposed Site

Depth (in.)	Texture	Color

#2 Alternate Site

Depth (in.)	Texture	Color

Soil Sizing Factors/Hydraulic Loading Rates

Perc. Rate	Texture	SSF	HLR	Perc. Rate	Texture	SSF	HLR
<0.1	Coarse Sand			16 to 30	Loam	1.67	0.60
0.1 to 5	Sand	0.83	1.20	31 to 45	Silt Loam	2.00	0.50
0.1 to 5	Fine Sand	1.67	0.60	46 to 60	Clay Loam	2.20	0.45
6 to 15	Sandy Loam	1.27	0.79	> 60	Clay Loam	****	0.24

Description of Soil Treatment Areas

	Proposed Site		Alternate Site	
Disturbed Areas?	Yes or <u>No</u>		Yes or No	
Compacted Areas?	Yes or <u>No</u>		Yes or No	
Flooding Potential?	Yes or <u>No</u>		Yes or No	
Run on Potential?	Yes or <u>No</u>		Yes or No	
Limiting Layer Depth	Proposed #1	Proposed #2	Alternate #1	Alternate #2
Slope % and Direction	<u>OAT SITE</u>			
Landscape Position	<u>SUMMIT</u>			
Vegetation Types	<u>WOODED</u>			
Soil Texture	<u>SAND AT 36"</u>			
Soil Sizing Factor	<u>(0.83)</u>	1.27 1.67 2.0 2.2	0.83 1.27 1.67 2.0 2.2	

Crow Wing County Trench/Pressure Bed Design

Property Owner: DANIEL KELLY Date: 8/12/2024

Designer's Initials: _____

Determine Pump Capacity

1) Gravity Distribution Pump Capacity Range: 10 - 45 GPM

*Skip to Pump Head Requirements if pumping to gravity

2) Pressure Distribution:

a) Number of laterals: 7

b) Lateral Size: 2 in.

c) Perforation spacing 36 in.

d) Check Table 4 to see the maximum number of perforations per lateral.

3) Lateral Length (choose):

a) End manifold: rock bed length: 25 - 2 ft. = 23 ft.

b) Center manifold: rock bed length / 2: _____ - 1 ft. = _____ ft.

4) Total Perforation Determination:

a) (3a or 3b): 23 ft. + (2c): 3 ft. + 1 = 8 Perforations / Lateral

b) (4a): 7 × (2a): 8 = 56 Total Number of Perforations

c) Select perforation discharge from Table 1 = .74 GPM/Perf.

d) (4b): 56 × (4c): .74 GPM/Perf. = 42 GPM

PUMP HEAD REQUIREMENTS

5) Elevation difference:

a) Elevation difference between pump and point of discharge 7 ft.

b) If pumping to a pressure distribution system, (5a) + 5 = 12 ft.

c) If pumping to a gravity distribution system, (5a) + 0 = _____ ft.

6) Friction loss:

a) Select a value from Table 2: 2.64 ft. / 100 ft. of pipe

b) Pipe length to drainfield: 10 × 1.25 = 12.5 ft.

c) (6a): 2.64 × (6b): 12.5 ÷ 100 = 1 Total Friction Loss

7) Drainback:

a) Actual Pipe length: 10 ft. × .17 gal/ft. (Table 3) = 1.7 gal

8) (5b or 5c): 12 ft. + (6c): 1 ft. = 13 Total Head Required

9) Minimum Pump Size: 42 GPM (4d) & 13 ft. of dynamic head (8)

Table 1 Perforation Discharge (GPM/perf.)		
Ft. of Head	7/32" Perf	1/4" Perf
1.0	0.56	<u>0.74</u>
2.0	0.80	1.04

Use 1.0 for single homes, 2.0 for everything else

Table 2 Friction Loss in Plastic Pipe			
Flow (GPM)	1.5"	2"	3"
20	2.47	0.73	0.11
25	3.73	1.11	0.16
30	5.23	1.55	0.23
35	6.96	2.06	0.30
40	8.91	<u>2.64</u>	0.39
45	11.07	3.28	0.48
50	13.46	3.99	0.58
55		4.76	0.70
60		5.60	0.82
65		6.48	0.95
70		7.44	1.09

Table 3 Volume of Liquid in Pipe	
Pipe Diameter	Gal/Ft.
1.25 in.	0.078
1.5 in.	0.11
2.0 in.	<u>0.17</u>

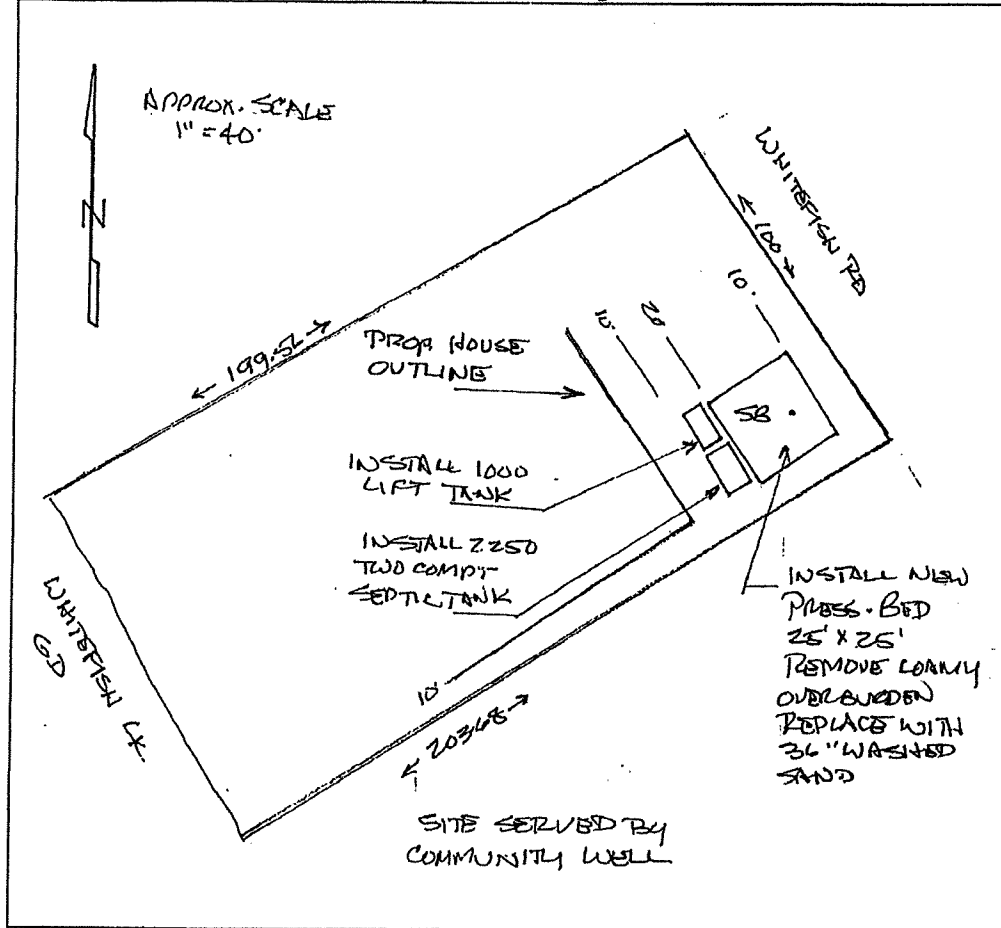
Table 4 Max Perforations/Lateral			
Perf. Spacing	1.25" Pipe	1.5" Pipe	2" Pipe
30 in.	14	18	28
36 in.	13	17	26
40 in.	12	16	25
48 in.	11	15	23
60 in.	10	14	22

Crow Wing County Trench/Pressure Bed Design

Property Owner: DANIEL KELLY

Date: 8/12/2024

Please Draw to Scale with North Arrow to top or Left Side of Page



Please show all that apply (Existing or Proposed):

Wells within 100 ft. of a Drainfield
Water lines within 10 ft. of a Drainfield
Disturbed/Compacted Areas
Drainfield Areas

Boring Locations
Component Location
OHW
Lot Easements

Access Route for Tank Maintenance
Property Lines
Structures
Setbacks

Elevations:

1272 Benchmark Elevation GTS
TRD 1270 Elevation of Sewer Line at House
1269 Tank Inlet Elevation
1270 Drainfield Elevation

1264 Pump Elevation
1271 Pump Discharge Elevation
1267 Restricting Layer Elevation

Designer Signature: [Signature]
License Number: 1719

Date: 8/12/2024
Page 5 of 7

Landowner / Parcel #: _____

Date: _____

Lot Impervious Surface Coverage & Landscaping for Stormwater Worksheet

Please use the table below to calculate your impervious surface coverage. Impervious coverage is limited to 25% of the total lot area. Calculate out all that apply to your situation. If a structure has odd dimensions or if using to size stormwater basins, multiple rows / sheets may be needed. If total imp. of irregular structure or driveway is known, just multiply by 1.

<u>Existing Structures</u>	<u>Length (ft)</u>		<u>Width (ft)</u>		<u>Total (in sq. feet)</u>	
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
<u>Driveways* & Landscaping:</u>						
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones, Landscaping (incl. plastic), Other	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
Total Existing Impervious					0 (sq ft)	
<u>Proposed Structures</u>						
House, garage, shed Boathouse Greenhouse Other (Dog Kennel, etc.)	3,584 (ft)	X	1 (ft)	=	3,584 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
<u>Driveways* & Landscaping:</u> <i>*Assumes a 12' wide driveway unless evidence to the contrary</i>						
Driveway*, Parking Area, Apron, Boat Ramp, Sidewalk, Patio, Paving Stones Landscaping (incl. plastic), Other	1,263 (ft)	X	1 (ft)	=	1,263 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
	(ft)	X	(ft)	=	0 (sq ft)	
Total Proposed Impervious					4,847 (sq ft)	
Total Lot Area (sq. ft.) = 20,454					Total existing Impervious =	0 (sq ft)
					Total w/new Impervious =	4,847 (sq ft)
					% existing impervious =	0.0 %
					% w/new impervious =	23.7 %

Simple Calculator for Approximating Size of Stormwater Practice & Amount of Phosphorus Reduction:

Total w/ new impervious:			Storage volume: Gal / Cu ft (= gal / 7.48)		Bottom size (sq ft) of infiltration area by depth						
			Gal	Cu ft	3"	6"	9"	12"	15"	18"	
4,847	x	0.623 / 0.083 Gal / Cu ft	=	3,020 Gal	402 Cu ft	1,609 cu ft x 4	805 cu ft x 2	535 cu ft x 1.33	402 cu ft x 1	322 cu ft x 0.8	270 cu ft x 0.67
Total exst imp	=	0	x	0.0000366	=	0.00	Existing phosphorous loading (lbs/yr)				
Tot w/new imp	=	4,847	x	0.0000366	=	0.18	Phosphorous reduction w/ stormwater mgmt				
For rain barrels, use this formula to determine size/amount needed:			Roof area (sq ft)		x	0.5625	=	0	Gallons generated from a 1" rain event		



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:

576687

Permit Number

260060V

Property Owner(s): KELLY, DANIEL & KIMBERLY CK # 1182 \$750

Mailing Address: 6625 HIALEAH DR, Dallas, TX 75204

Site Address: 38211 WHITEFISH ROAD, CROSSLAKE, MN 56442

Phone Number: 214-701-8949

E-Mail Address: dan.kelly@vistracorp.com

Parcel Number(s): 14060518

Legal Description: LOT 6 BLOCK 1

Sec 6 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Lake/River Name: Whitefish

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

If yes list Parcel Number(s)

Authorized Agent: Dan Whirley/ LiV4 Architecture

Agent Address: 33853 Gendreau, Rd, Crosslake, Mn 56442

Agent Phone Number: 218-831-0088

Variances

(Check applicable requests)

- ☐ Lake/River Setback
- ☒ Road Right-of-Way Setback
5' where 10' required
- ☐ Bluff Setback
- ☐ Side Yard Setback
- ☐ Wetland Setback
- ☐ Septic Tank Setback
- ☐ Septic Drainfield Setback
- ☐ Impervious Coverage
- ☐ Accessory Structure
- ☐ Building Height
- ☐ Patio Size
- ☐ _____
- ☐ _____

Signature of Property Owner(s)

Date 6/8/26

Signature of Authorized Agent(s)

Date 6/8/26

- 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 JG

Date 6-8-26

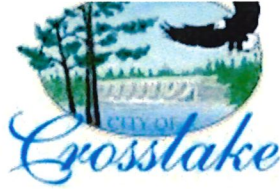
Land Use District SD

Lake Class

Sentic: Compliance

SSTS Design

Installation



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: **We are requesting to install a residential septic drain field**

a few feet within to road setback, in order to have space for a reasonably wide driveway to the new attached garage

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

Yes ☒ No ☐

Why: **The proposed location of the new septic drain field will not**

affect the character of the locality in any way

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

Yes ☒ No ☐

Why: **This Variance request is due to the limited size of the**

property

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

Yes ☒ No ☐

Why: **This variance is necessary in order for the homeowner to**

have a wide enough driveway to access their attached garage



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: