

**EAST GULL LAKE  
CASS COUNTY, MINNESOTA  
Ordinance No. 2024-02**

**AN ORDINANCE AMENDING SECTION 8.3-2 DEFINITIONS AND SECTION 8.6-2.6  
ONSITE SIGNS AND SECTION 8.10-6.5 VARIANCES OF THE EAST GULL LAKE  
LAND USE, ZONING AND SUBDIVISION ORDINANCE WITHIN THE CITY CODE**

The City Council of the City of East Gull Lake ordains that the East Gull Lake Land Use, Zoning and Subdivision Ordinance is hereby amended as follows:

(Changes in the following sections are denoted with underline for new text or a ~~striketrough for deleted language~~. Renumbering and updated references shall occur throughout the Code as needed when sections or subsections are added or deleted)

Section 1. Section 8.3-2 Definitions of the East Gull Lake Land Use, Zoning and Subdivision Ordinance is hereby amended as follows:

27. Bathroom, Full. A room containing a shower or bathtub and ~~or~~ sink and toilet.

28. Bathroom, Half. A room containing a sink and toilet with no shower or bathtub.

~~710. Dwelling, Guest Quarters. A structure, not for sale or lease, used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling on the lot. The unit shall be used long term for a family member or short term for guest of the family occupying the primary dwelling unit on the premises. Any accessory structure with kitchen or bathroom facilities shall be considered a dwelling, guest quarters. any of the following is considered a guest quarters dwelling:~~

- a) A kitchen;
- b) A full bathroom;
- c) A kitchen and full bathroom;

An accessory structure that contains a half (1/2) bathroom and no kitchen is not considered a guest quarters

~~99. Hardship, Undue. The property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property and were not created by the landowner, and a variance, if granted, would not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if reasonable use exists under the terms of the Ordinance.~~

108. Kitchen. Any room or portion of a room within a building designed and intended to be used for cooking and preparation of food.

~~2013. Variance. A legally permitted deviation from the provisions of this ordinance as deemed necessary by the Board of Adjustment. when the strict interpretation of the Ordinance would create undue hardship and be impractical because of circumstances, relating to lot size, shape, topography or other characteristics of the property, and when the deviation from the Ordinance from the Ordinance, with any attached conditions, will still be in keeping with the spirit and intent of the Ordinance. Variances cannot create a Land Use not permitted in a zone.~~

Section 2. Section 8.6-2.6 Onsite Signs of the East Gull Lake Land Use, Zoning and Subdivision Ordinance is hereby amended as follows:

A. Residential Districts.

1. Signs shall not be internally or externally lighted but may be reflective. Residential Subdivision signs in (4) below may be illuminated but shall be with an indirect light with the light source fully diffused and aimed toward the sign and ground. The light cannot distract motorists along the adjacent roadways.
2. No sign shall be larger than 3 square feet, except as provided in (4) below.
3. Only one sign per principal use shall be allowed.
4. Residential subdivisions having five (5) or more lots are allowed up to one (1) decorative freestanding monument signs per principal entrance to the subdivision. Each sign is limited to forty-eight (48) square feet and ten feet (10') in height. These signs shall be located on private property and shall not be located within any sight triangle.

Section 3. Section 8.10-6.5 Variances of the East Gull Lake Land Use, Zoning and Subdivision Ordinance is hereby amended as follows:

- ~~4. Variances shall be decided within the required time frame with consideration for the following:
  - A. The strict interpretation of the Ordinance would create undue hardship, and
  - B. The strict interpretation of the Ordinance would be impractical because of — circumstances relating to lot size, shape, topographic or other characteristics of the property not created by the land owner, and
  - C. The deviation from the Ordinance with any attached conditions will still be in keeping with the spirit and intent of the Ordinance, and
  - D. The variance will not create a Land Use not permitted in the zone, and
  - E. The Variance will not alter the essential character of the locality, and
  - F. The Variance is not for economic reasons alone, but reasonable use of the property does not exist under the Ordinance.~~
5. Variances shall be decided within the required time frame with the following findings being met:

- A. A variance shall only be granted when it is in harmony with the general purposes and intent of the ordinance.
- B. A variance shall only be granted when it is consistent with the comprehensive plan.
- C. A variance may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone do not constitute a practical difficulty. In order for a practical difficulty to be established, all of the following criteria shall be met:
  - a. The property owner proposes to use the property in a reasonable manner.
  - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
  - c. That the granting of the variance will not alter the essential character of the neighborhood in which the parcel of land is located.
- D. The variance does not involve a use that is not allowed within the respective zoning district.

Section 4. Severability. Every section, provision and part of this Ordinance is declared severable from every other section, provision, and part thereof. If any section, provision, or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part of this Ordinance.

Section 5. Effective Date. This Ordinance shall be effective immediately upon its passage and publication according to the law.

Adopted this 6<sup>th</sup> day of August 2024.

**BY THE CITY COUNCIL**


  
Dave Kavanaugh, Mayor

Attest:   
Laura Christensen, City Administrator

I, the undersigned, being the duly qualified City Administrator of the City of East Gull Lake, Minnesota, hereby certify that I have carefully compared the foregoing Ordinance 2024-02 which is found in the minutes of the City Council of the City of East Gull Lake dated August 6, 2024.

And the same is a full, true, and complete copy of said Ordinance as found in the City records.

Witness my hand officially as such administrator August 6, 2024.

  
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Laura Christensen, City Administrator  
East Gull Lake, Minnesota

State of Minnesota     )  
                                  ss  
County of Cass         )

The foregoing instrument was acknowledged before me August 6, 2024 by Laura Christensen, City Administrator of the City of East Gull Lake, Minnesota.

  
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Kathy Schack, Notary Public  
My Commission Expires January 31, 2029

This instrument was drafted by  
The City of East Gull Lake  
10790 Gull Point Rd  
East Gull Lake, MN 56401

