

**City of East Gull Lake
Planning and Zoning
Regular Meeting**

Tuesday, May 26, 2015 – 6:30 PM

I. Call to order

Bruce Buxton called to order the regular meeting of the City of East Gull Lake Planning and Zoning meeting at 6:30 PM on Tuesday, May 26, 2015 at City Hall.

II. Pledge of Allegiance

III. Roll Call

Present: Bruce Buxton (Chair), Commission: Paul Tollefson, Marty Halvorson, Rocky Waldin, Eunice Wiebolt

Staff Present: City Administrator Mason, Administrative Assistant Schack

Audience: Linda Sumner, Bob Hunstad, John Pierson, Gaylon Bratland, Steve Northway, Tim Engel, Scott Hoffman

IV. Adoption of Agenda/Additions or Deletions to the Agenda

Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt to approve the agenda as amended. Passed unanimously

V. Public Hearings

A. Jim Deanovic Variance Application 2015-20

Administrator Mason read the public notice information regarding Variance application 2015-20 for property described as the west part of Lot 2, all of Lot 3, & east part of Lot 4, OAKHURST; PID #87-340-0030, located at 10052 Birch Grove Road. An application was submitted to request a Variance to remove a two story, pre-existing guest house of 1,200 sq ft that is currently 10 ft from OHW and replace with a new one story guest house of 800 sq ft moving it to 30 ft from OHW and 10 ft from sideline setback. The property is located in the R-3 zoning district and contains 37,300 square feet, riparian to Gull Lake (General Development (GD)).

Discussion was opened to the public. Mr. Northway offered to answer any questions he could due to the fact that Mr. Deanovic was not able to make it to the meeting. The question was asked regarding the pitch and height of the building. He noted that Mr. Deanovic is aiming for a certain theme that will be incorporated into the structure of his new home when he constructs it.

Open discussion was closed and discussion was brought back to the Planning Commission. The height of the proposed structure was discussed. The placement of the building was discussed. It was noted that Mr. Deanovic would like to place the building as it is shown on the site plan. Administrator Mason showed photos to identify where the proposed building would be placed. It was noted that the DNR is aware of the proximity to the OHW (36 feet). Chair Buxton noted that he felt that the placement of the building is not a good fit for Mr. Deanovic and because of the height of the structure, the neighbor's view of the lake would be obstructed. Commissioner Tollefson asked the dimension of the building. It was approximated at 20 x 40 (800 sq ft) and approximately 20' high. Chair Buxton noted the recommendation that expresses the perspective of the Planning Commission regarding the placement of the structure should be made. It was asked if stakes could be placed on the property showing the current proposed placement and the Planning Commission's suggestion moving the structure 20' to the west and 14' back, meeting the 50' setback so someone could meet on the property to discuss with Mr. Deanovic the conditions placed on the variance recommendation to City Council. Mr. Northway noted that he would have the staking ready and proposed a meeting time either Monday, June 1st or Tuesday June 2nd after Mr. Deanovic has returned.

Commissioner Tollefson noted that he would like to require dimensions of a structure before approving a plan.

Motion by Commissioner Wiebolt and seconded by Commissioner Halvorson to approve Variance 2015-20 subject to the findings and conditions as presented by City Staff adding two conditions: 1) moving the proposed building 20' to the west and moving it back to meet the 50' setback, 2) grant the 800²' structure with a maximum height 20' as measured from the lakeside of the building. Passed unanimously

B. East Pointe Homeowner's Association CUP Application 2015-21

Administrator Mason read the public notice information regarding CUP application 2015-21; Property located at 1340 Pine Beach Road, PID 87-390-0020; to erect two large entrance signs 11' (H) x 8'6" (W) to location of existing smaller signs. Original development sign was two sided and 6' (H) x 14' (W), original sign was relocated due to illegal encroachment and view was obstruction to Cass County 77. He noted that the East Pointe Homeowner's Association submitted a new plan that reduces the size of the signs from 11' (H) x 8' 6" (W) to 7' (H) x 5'4.5" (W). He showed a photo of the original sign 6' (W) x 14' (H) and the smaller signs that were erected in place of the larger sign. He explained the process of determining the need for a CUP and noted that the Land Use Permit from two years ago could be used once and/or if the CUP was approved. He also noted that City Staff recommend approval of the new design based upon findings and conditions presented.

Discussion was opened to the public. Mr. Bratland addressed the Commission, introducing two other members of the committee from the association. He noted that they have been working on changing the signs for the past two to three years, because of the failing conditions. A past member of the association donated monies for the new signs. He also noted that the current signs are hard to view from drivers. He noted that landscaping will have to be done also. He noted that another issue that needs to be address is lighting of the sign. He also noted that the Homeowner's Association has approved the current design.

Open discussion was closed and discussion was brought back to the Planning Commission. Visibility and distance from the road was discussed, noting that the signs will be approximately 62' from the center of County Road 77. Discussion ensued regarding the need for lighting of the signs to be addressed at this point. Administrator Mason noted that the issue of lighting could be addressed at a later time.

Motion by Commissioner Wiebolt and seconded by Commissioner Halvorson to approve [CUP application 2015-21] subject to the findings and conditions as presented followed by any future lighting package to be reviewed [and approved] by the City Administrator at a later date. Passed unanimously

VI. Approval of Minutes

Motion by Commissioner Wiebolt, second by Commissioner Halvorson to approve the minutes of the Tuesday, April 28, 2015 meeting.

VII. Open Forum

Administrator Mason noted that the Cass County Sheriff's office will be attending the Council Meeting regarding firearm safety. He noted that even if the City creates a law or rule limiting gun use, there would be no way to enforce it without a City police department as the County will not enforce City laws. Mr. Engel was informed that at that meeting he will be able to bring up his proposal to create restrictions on shooting within City Limits.

VIII. Planning and Zoning Administrator's Report

A. Permits

Administrator Mason went over the six (6) new permits since last meeting; One (1) Variance & One (1) CUP

B. Inspections/Site Visits

Administrator Mason discussed the site visits he performed this month.

C. Potential Permits

Administrator Mason discussed the new potential permits.

D. 2013 Permit Updates

No changes

E. Correspondence

One completion letter was sent

F. Complaints/Enforcement Actions

None

IX. Old Business

A. City Comprehensive Plan Review – Section III

No decisions were made regarding Section III. Commissioner Wiebolt noted that she needs help from the rest of the members before constructing this section. Administrator Mason noted that this section is important because it describes the vision of the community as far as residential development. Discussion ensued regarding multi-family dwellings, seasonal cabins compared to year-round homes, and open property on the lakes. Administrator Mason suggested that each of the members put together some points that they would like to see addressed and give that information to Commissioner Wiebolt to write up for the section. Discussion ensued regarding PUD's compared to duplexes, noting that the quality of the housing is important. Chair Buxton reiterated the point that all the members need to give Commissioner Wiebolt feedback.

X. New Business

None

IX. Adjournment

Motion by Commissioner Tollefson and seconded by Commissioner Halvorson to adjourn. Passed unanimously.

Transcribed by East Gull Lake Administrative Assistant
Kathy Schack

These minutes are paraphrased and are not written word for word.