

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

Tuesday, May 30, 2017 – 6:30 PM

I. Call to order

Chairman Bruce Buxton called to order the regular meeting of the City of East Gull Lake Planning and Zoning Commission at 6:30 PM on Tuesday, May 30, 2017 at City Hall.

II. Pledge of Allegiance

III. Roll Call

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

Staff Present: City Administrator Mason, Administrative Assistant Schack

Audience: Steve Northway, Charles Witzke, Tom and Cathy Williams, Jeff and Ann Swanson

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

Swanson's in attendance for Open Forum

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

V. Approval of Minutes

Motion by Commissioner Wiebolt, second by Commissioner Halvorson to approve the minutes of the Tuesday, April 25, 2017 meeting.

VI. Public Hearings

A. CUP 2017-19: 87-347-0100; 1100 Green Gables Rd, Spalj

Administrator Mason read the Public Notice and the Staff Report for the CUP and noted that neighbor's that he heard from had no problem with the construction proposal.

Findings of Fact:

1. A new 5,293 sq ft home will be built on the site
2. Height of new home is approxamatly 28 feet to the roof peak
3. Concrete Slab is 3.7 feet above the OHW of 1194 feet
4. Setback from OHW is 50 feet to the front of the patio of the home.
5. Site from the road to the lake is 48,057 Sq Ft, total square footage for the lot including across the road is 119,613 Sq Ft based on the Cass County GIS estimate
6. Total Impervious proposed with house, terraces, driveway, and retaining walls, is 11,800 Sq Ft or 24.55% for the Road to the lake measurement of impervious and 9.8% for the entire property.
7. Based on impervious being over 20%, a stormwater management plan has been prepared with two catch basins of 2,976 cubic feet and 1,026 cubic feet for a total of 4,002 Cubic Ft to capture a 5 year / 24 hour storm event as projected for a net area of 38,836 sq ft to be estimated at 3,136 cubic Ft of run off volume per 8.5-5 section 7- B-1 of the City Code for the R3 zone.
8. A 2,976 Cubic Ft of storage volume retention area will be created with pervious pavers in the parking area and including the storage within the underground retention area below the surface of the parking area. Another 1,026 Cubic Ft of storage will be created by building the lakeside berm to prevent direct run off into Gull Lake.
9. Elevations currently are about 1,200 ground level on the building site per survey, lake level is 1194. A 3 foot seperation above highest known groundwater per 8.5-5 section 6 table of the City Code is required. A 1,204 top of subfloor height is anticipated in new construction.
10. In terms of truck traffic on the newer road, we anticipate approxamatly 46 loads at 12 yards per load

Conditions:

1. Silt fencing will be required between the building site and lakeshore as well as sideyard setback areas where the grading and fill will occur.
2. Maintain in perpetuity the Stormwater system installed on the property in 2013 as part of the Green Gables Road reconstruction project the easement for the City Stormwater control on Green Gables Rd.
3. Create and maintain stormwater plans as presented to the City to retain water from entering the lake directly or the neighboring properties.
4. Any Sump pump systems within the property will be discharged into the stormwater management systems and not into the City Sewer.
5. Existing Storm drains in the Street shall remain in place and the driveway must work around them, If owners wish to move them, it would be a their expense and built to City Engineers specs. Any damage to the street surface would also be repaired to City Engineers specs.
6. Road should be regularly swept to eliminate excessive dirt that could clog our stormwater system and to maintain the road in good condition for busy summer traffic.

Charles Witzke addressed the Commission regarding the CUP. He addressed the stormwater retention area showing the drawing. He noted that the building will be raised to accommodate for the crawl space. Discussion ensued regarding the stormwater being held within the Spalj property and not running into the neighbor's property. It was noted that the setbacks and height requirements are being met. It was also noted that the CUP was required due to the amount of fill needed. He noted that soil samples were taken.

Chair Buxton opened the meeting up to the public. Tom Williams addressed the Commission regarding the water run-off. He noted elevations on his property compared to the Spalj elevations and noting that if there are any concerns it was in one corner of the property. Mr. Witzke addressed the issue stating that the berm and retention area would take care of any water issue of water going onto the Williams property or the lake.

The public hearing was closed. Chair Buxton noted that the corner that Mr. Williams was concerned with, there is a tiny swale that may need to be taken care of. It was noted that the water problem is close to the line between the two properties. Chair Buxton noted the setback from road is not 10 feet, but should be 30 feet. He also noted the drawings need to show the roof drainage. Mr. Witzke showed where the gutters will be placed on the plan. It was noted that the Spalj's would be willing to add gutters on the west side of the roof, if they were asked to do so. Discussion of the well location in relation to the retention area and the curve of the driveway in relation to catch basins took place. Chair Buxton noted that he was concerned that there is record of any damage done to Green Gables Road. He was also concerned about water being added to the City Wastewater. Commissioner Tollefson made the motion to approve with the additional conditions:

1. Move the driveway five feet away from existing proposed driveway
2. Additional gutters added to the west side of the roof
3. Extend or alter the berm to capture water in low area in the northeast corner of the property by the Williams boathouse

Motion by Commissioner Tollefson and seconded by Commissioner Wiebolt to recommend approval of CUP 2017-19 subject to the findings and conditions as presented by City Staff with an additional three conditions as stated above. Passed unanimously

VII. Open Forum

Jeff and Ann Swanson addressed the Commission regarding a proposal for construction on their property. They are asking what is the best direction to take to make the property their home. He noted that the cabin is non-conforming right now. It was noted that there have been no improvements done on the property since the 1960's. It was noted that there are impervious issues as well as setbacks. Discussion ensued regarding remodel versus reconstruction. Mr. Swanson showed a couple suggested drawings. Mr. Swanson asked the Commission if he could get permission to do the landscaping first and then come back in for direction on the construction. Chair Buxton noted that he would need a CUP for

the grading of the property. He also noted that if the property was brought into conformity, it would benefit the value of the property. Chair Buxton suggested that they rebuild and make the property conforming, but the Commission would also work with the Swanson's whatever they decide.

VIII. Planning and Zoning Administrator's Report

A. Statistics

New Permits:	18
New Variances:	0
New Conditional Use:	1
Potential Permits:	5
Inspections:	33
Completion Letters:	6
New Violations:	0
2017 Permits to date:	27

B. 2013, 2014 & 2015 Existing Permits Update

- One remaining open 2013 permits
- One remaining open 2014 permits
- Eight remaining open 2015 permits
- 32 open out of 86 total 2016 permits

Administrator Mason reviewed the inspections that took place during the last month.

- HARBOR project construction of the road; storage sheds have begun to be built; final plat drawings are close to being completed
- Cragun's resort permits
- Kuhn landscape and parking area
- Carlson property shoreline restoration
- Loschko property construction
- Kunz property reconstruction of bunkhouse
- Bench along CR 70 landscaping
- Anderson garden fence reconstruction
- Blanch tree clean-up
- Scheeler landscaping
- Wiebusch desire to construct privacy fence
- Knudsen boathouse improvement
- Larsen property shoreline restoration
- Humphrey shoreline restoration from 2015 storm; project complete
- Sheer deck and shed addition
- McGough construction
- Carney landscaping
- Twistol garage/shed
- Schneeberger garage
- Bjorlo new construction
- Lamberson Cottage construction
- Adams shoreline restoration

C. Rivers and Tuomi property issue

- Deed does not reflect property split correctly, but is being corrected at this time and the garage property is being added to the owner's lot and not creating a new substandard lot.

IX. Old Business

A. Review Comprehensive Plan; June 13, 2017 meeting

Reminded Commission of the meeting.

B. Zoning Map Review - Continued

Noted to discuss following June 13th meeting. Chair Buxton reviewed the Chart describing the zoning for the City.

X. New Business

None

IX. Adjournment

Motion by Commissioner Tuomi 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.

DRAFT