

**Table of Contents**

**August 27, 2019**

**Planning Commission Meeting**

**Agenda .....1**

**Minutes of July 30, 2019 Planning Commission Meeting .....2**

**Public Hearing**

**CUP 2019-40 – Gregory .....4**

**Variance 2019-42A & CUP 2019-42B – Madden’s .....10**

**PZ Administrator’s Report .....22**

CITY OF EAST GULL LAKE  
AGENDA  
PLANNING AND ZONING COMMISSION  
Tuesday, September 03, 2019 – 6:30 PM

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1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Additions or Deletions to the Agenda /Adoption of Agenda
5. Approval of Minutes
  - a) September 3, 2019 Regular Meeting
6. Public Hearing
  - a) CUP 2019-40 – Gregory landscaping moving over 50 cubic yards ground
  - b) Variance 2019-42A and CUP 2019-42B – Madden’s remove and reconstruct building and pavilion; move tennis courts
7. Open Forum\*
8. P&Z Administrator’s Report

a) Statistics

New Permits:	5
New Variances:	2
New Conditional Use:	1
Potential Permits:	5
Inspections:	49
Completion Letters:	16
Violations:	1
Total 2019 Permits to date:	50

- b) 2013 through 2018 Existing Permits Update
      - One remaining open 2013 permit: Owen Trout garage
      - One remaining open 2014 permit: Thomas Deans shed
      - Three (3) remaining open 2016 permits
      - One remaining open 2017 permit: Leonard new home with garage
      - 20 open out of 84 total 2018 permits
9. Old Business
 

None
10. New Business
 

None
11. Adjournment

*This agenda is not exclusive. Other business may be discussed as deemed necessary.*

**\*OPEN FORUM** allows the public to speak to the Committee regarding issues that are not on the agenda.

Prepared by East Gull Lake Administrative Assistant  
Kathy Schack

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

Tuesday, July 30, 2019 – 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, July 30, 2019 at City Hall.

**II. Pledge of Allegiance**

**III. Roll Call**

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

Absent: Paul Tollefson

Staff Present: City Administrator Mason, Administrative Assistant Schack

Audience: Mary Tuomi, Kevin & Vicki Smith, Patience Barnes, Rosemary Susens, John Sampsell, John Luepke, Jim Freeman

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

Move Short Term Rental discussion from New Business to Open Forum

**Motion by Commissioner Halvorson and seconded by Commissioner Tuomi to approve the agenda as amended. All present voted in favor thereof. Motion carried.**

**V. Approval of Minutes**

**Motion by Commissioner Wiebolt, second by Commissioner Halvorson to approve the minutes of the Tuesday, June 25, 2019 meeting. All present voted in favor thereof. Motion carried.**

**VI. Public Hearings**

None

**VII. Open Forum**

**Short Term Rentals**

Chairman Buxton noted that this discussion is not a public hearing. Administrator Mason opened the conversation regarding short term rentals within the City limits. He has attended meetings with Pine Beach Peninsula Homeowners Association and Sylvan Township. Residents at both meetings expressed the desire to have control over rentals. Lake Shore and Pequot ordinances regarding short term rentals were discussed. It was noted that there is not a limit of the number of rental properties in either of the Lake Shore or Pequot Lakes ordinances. Permit cost for Lake Shore is \$200.00. It was noted there is no requirement in the Lake Shore ordinance for fire inspection. Questions were asked regarding testing of water, electrical, etc. and how that would be enforced. It was noted that any decision made regarding short term rentals will be encompassed in the Zoning Ordinance changes. A concern was noted that there is a possibility of turning a residential neighborhood into a commercial area if there are several rented properties. It was noted that if someone were to buy several properties in one area and rented all of them, it would be paramount to having a small resort, which is commercial and not allowed in a residential zone. It was noted that the State Department of Revenue is now stating anyone in the business of short-term rental will be considered commercial for taxing purposes. Administrator Mason noted that the Cass County Board has no plans in regulating short-term rentals. He also asked at the League of MN Cities conference and no one really wanted to discuss the issue. Discussion ensued regarding an individual renting a single home and a rental management company coming in and renting several properties. John Luepke of Serene Quarters introduced himself. He noted that his company offers short term rentals for homeowners who want to use their cabins for renting as a means of capital. He noted that they find a way to respect the neighborhood and the local government in their management of the properties. He noted they try to find a balance for the neighborhoods. Home insurance policies were discussed. It was noted that special insurance needs to be purchased. He noted the three major concerns for residents are noise, garbage and parking and they address each of those

within the management of their properties. He noted that there is a “three-strike policy” that prevents renters from coming back if the cause problems. He also noted that it would be a liability to have personal information on file for the renters. Questions regarding information on the renters were discussed as to how to obtain that information and how much is actually needed. There were no conclusions made noting that this will all be a part of updating the zoning ordinance.

#### VIII. Planning and Zoning Administrator’s Report

##### A. Statistics

New Permits:	10
New Variances:	0
New Conditional Use:	0
Potential Permits:	4
Inspections	52
Completion Letters:	6
New Violations	0
Total 2019 Permits to date:	39

##### B. 2013 – 2018 Existing Permits Update

- One remaining open 2013 permit: Owen Trout garage
- One remaining open 2014 permit: Thomas Deans shed
- 3 remaining open 2016 permits
- 3 remaining open 2017 permits
- 27 open out of 55 total 2018 permits

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

#### IX. Old Business

##### A. Zoning Ordinance Discussion

Discussion postponed until next meeting.

#### X. New Business

None

#### IX. Adjournment

**Motion by Commissioner Tuomi and seconded by Commissioner Halvorson to adjourn. All present voted in favor thereof. Motion carried.**

Transcribed by East Gull Lake Administrative Assistant  
Kathy Schack

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



# City of East Gull Lake

## Staff Report

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**To:** Planning Commission

**Prepared by:** Administrative Assistant Schack

**Date:** August 27, 2019

**Agenda Item:** 6a

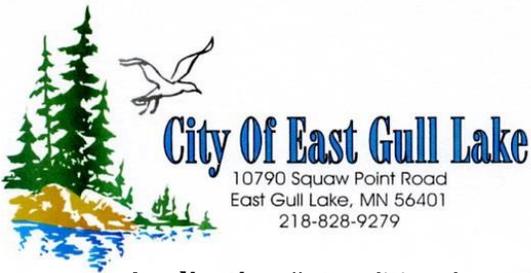
**Subject:** CUP 2019-40 – Gregory landscaping

**Report:**

Richard Gregory on property described as AUDITORS PLAT OF PINE BEACH LOT A10, PID# 87-376 0117, located on Yellow Moccasin Trail, East Gull Lake, MN 56401. An application was submitted to request a CUP to create a berm to plant trees and shrubs moving 60 yards of ground from neighboring lot and bringing in 1340 yards to the site.

**Staff Recommendation:** Staff recommends that the Conditional Use Permit be approved based on the findings of fact. We also recommend the following conditions:

1. No additional buildings shall be built unless a primary home is constructed prior.
2. Additional trees will be randomly planted similar to that which has been done on the neighboring property.
3. Grass or another groundcover will be established on the lot before winter to reduce erosion on the lot.



## Staff Report

**Application #: Conditional Use Permit (CUP) 2019-40**

**Parcel number: 87-376 0117**

### **Applicants:**

Richard Gregory on property described as AUDITORS PLAT OF PINE BEACH LOT A10, PID# 87-376 0117, located on Yellow Moccasin Trail, East Gull Lake, MN 56401. An application was submitted to request a CUP to create a berm to plant trees and shrubs moving 60 yards of ground from neighboring lot and bringing in 1340 yards to the site. The property is located in the R-3 zoning district and contains 1.1 acres or 49,048.8 square feet, riparian to Gull Lake (General Development (GD)).

**Directions to property:** From City Hall proceed across the Gull Lake Dam heading west and proceed to Cass County 70. Proceed to Cass County 77 and turn right. Proceed 1 ½ miles to Madden's Resort (Pine Beach Peninsula Road). Proceed through Madden's Resort 1 ½ miles on the private Pine Beach Peninsula Road until you reach Yellow Moccasin Trail, turn left and proceed to 1766 (blue E911 address sign) to private driveway.

A conditional use permit is required based upon more than 50 cubic yards of fill being added to the property to create a privacy berm and a separate small 8 x 8 gazebo accessory structure added without a primary structure in place on this PID.

*Proposed findings/conditions based upon MS 462.3595 and the EGL Land Use, Zoning and Subdivision Ordinance 8.10-5.*

### **MS 462.3595**

**Subdivision 1. Authority.** The governing body may by ordinance designate certain types of developments, including planned unit developments, and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved by the governing body or other designated authority by a showing by the applicant that the standards and criteria stated in the ordinance will be satisfied. The standards and criteria shall include both general requirements for all conditional uses, and insofar as practicable, requirements specific to each designated conditional use.

**Subdivision 3. Duration.** A conditional use permit shall remain in effect as long as the conditions agreed upon are observed, but nothing in this section shall prevent the municipality from enacting or amending official controls to change the status of conditional uses.

### **EGL Section 8.10-5**

3. In permitting a new conditional use or alteration of an existing the conditional use, the Planning Commission may impose, in addition to the standards and requirements expressly specified by this Ordinance, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the City as a whole. These conditions may include, but are not limited to the following:

- A. Increasing the required lot size or yard dimension.
- B. Limiting the height, size or location of buildings.
- C. Controlling the location and number of vehicle access points.
- D. Increasing the street width.

- E. Increasing or decreasing the number of required off street parking spaces.
  - F. Limiting the number, size, location or lighting of signs.
  - G. Requiring berming, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
  - H. Designating sites for open space.
4. The Planning and Zoning Commission shall decide the issue with consideration of the following:
- A. The following must be met:
    - 1. The use or development is an appropriate conditional use in the Land Use Zone.
    - 2. The use or development, with conditions, conforms to the Comprehensive Land Use Plan.
    - 3. The use with conditions is compatible with the existing neighborhood.
    - 4. The use with conditions would not be injurious to the public health, safety, welfare, decency, order comfort, convenience, appearance or prosperity of the City.
  - B. The following must be considered:
    - 1. The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.
    - 2. The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
    - 3. The conditional use requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
    - 4. The conditional will have vehicular approaches to the property which are so designed as not to create traffic congestion or indifference with traffic on surrounding public thoroughfares.
    - 5. Adequate measures have been taken to provide sufficient off-street parking and loading space to the proposed use.
    - 6. Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner that no disturbance to neighboring properties will result.
    - 7. The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.
    - 8. The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

**EGL Comprehensive Plan Policies:**

- 1. Protect the area's lakes from damage and degradation.
- 2. Maintain and support the resort community in the City.
- 3. Preserve and enhance the scenic beauty and natural plant communities of the area.
- 4. Work to improve recreation opportunities for residents and visitors throughout the City.
- 5. Strengthen the bond that make the people who live in, work in, and visit East Gull Lake identify with the community.

**Staff Findings of Fact:**

- 1. This is a lot that was purchased recently from the neighbor for additional landscape space to add to his already large project.
- 2. This new lot was also devastated by the 2015 storm and Mr. Gregory intends to restore a great number of trees and clean it up for his recreational use.
- 3. A 15-20 foot access was allowed to be cut within the ice ridge to provide a lake view from the new 8x8 gazebo on the new 100 foot lot that is a separate PID.
- 4. A small 3x3 pump shed is constructed 50 feet from the OHW for the irrigation system.

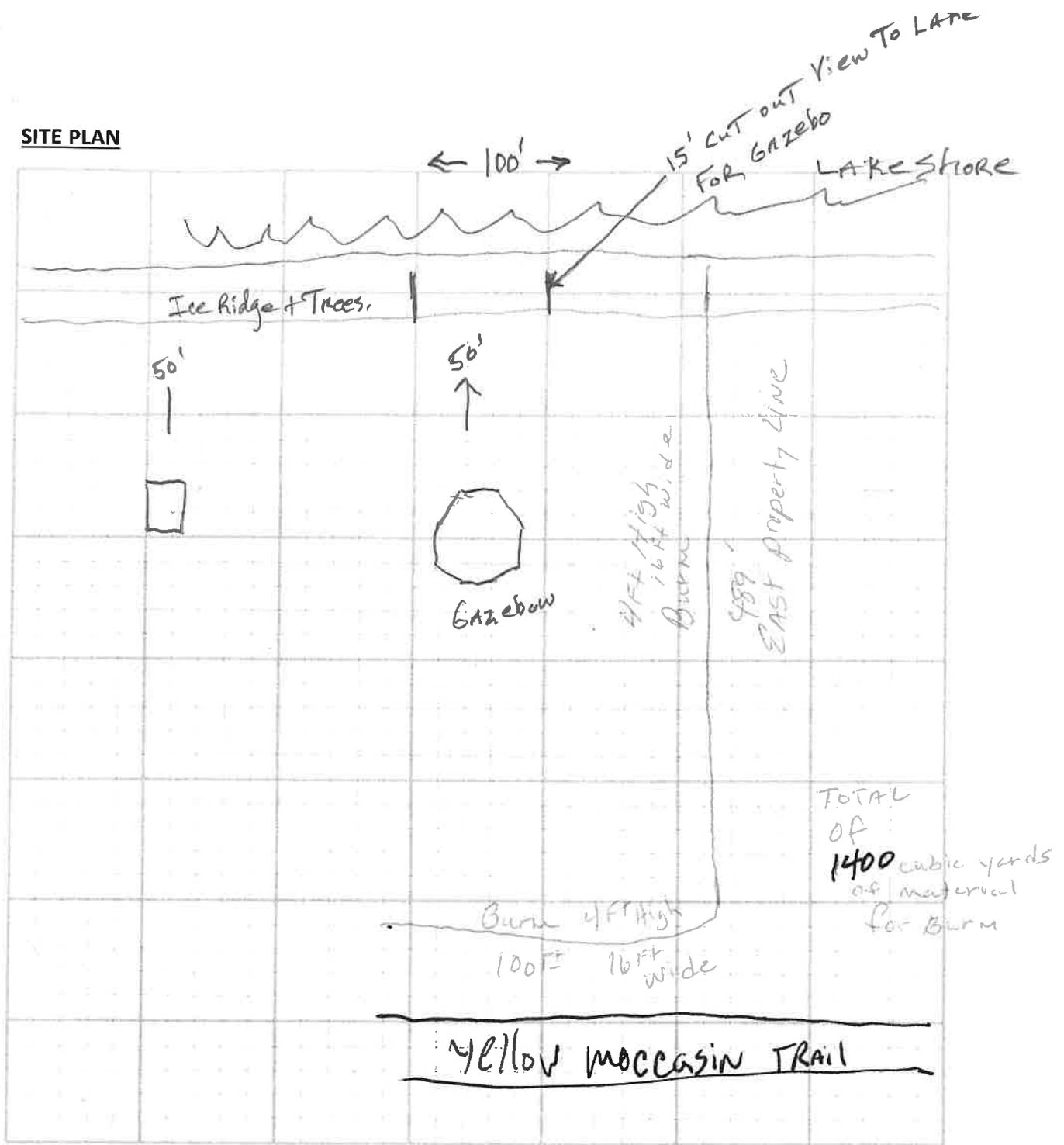
5. A 4-foot berm with approximately 1,400 cubic yards of dirt will be created and planted with trees similar to what exists on his lot next door to provide privacy and separation.
6. As no primary home exists on this property, a CUP is required for the 8x8 gazebo and the 4-foot berm to be built with more than 50 cubic yards of material.

**Planning Commission Direction:** The commission can recommend approval of the conditional use permit, recommend denial of the conditional use permit or table the request if additional information is needed. If the recommendation is for approval or denial, findings of fact should be cited.

**Staff Recommendation:** Staff recommends that the Conditional Use Permit be approved based on the findings of fact listed above. We also recommend the following conditions:

1. No additional buildings shall be built unless a primary home is constructed prior.
2. Additional trees will be randomly planted similar to that which has been done on the neighboring property.
3. Grass or another groundcover will be established on the lot before winter to reduce erosion on the lot.

**SITE PLAN**



Include all buildings, existing and proposed, on your property and label them. Include all dimensions (including height) of the buildings as well as all setbacks to property lines, lakes or rivers, roads and public right of way, and any other pertinent setbacks.

I attest that the information provided in this sketch is true, accurate, and complete.

*[Signature]*  
 Owner/Applicant Signature

7-24-19  
 Date

Note to Applicants: You may visit <http://cassweb3.co.cass.mn.us/link/jsfe/index.aspx?defaultRole=Public> to download and print a map of your property. Site plans may also be prepared and submitted using this information. Applicants may submit a site plan not prepared on this form, however this form must be signed by the applicant and submitted with the required application form and required application fee.





# City of East Gull Lake

## Staff Report

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**To:** Planning Commission

**Prepared by:** Administrative Assistant Schack

**Date:** August 27, 2019

**Agenda Item:** 6b

**Subject:** Variance 2019-42A and CUP 2019-42B – Madden’s remove and reconstruct building and pavilion and move tennis courts

**Report:**

An application was submitted to request a Variance and a CUP to remove and replace the Outdoor Cookout Pavilion built in the 1970’s. Part of the CUP includes more extensive patios around the pavilion, removal and replacement of older tennis courts, adding pickleball courts, and adding much more attractive landscaping to the area.

**Staff Recommendation:** Staff recommends that the Variance be approved based on the findings of fact. We also recommend the following conditions:

1. Existing older tree line along Gull Lake outside of the harbor area be maintained to reduce the direct view of the building from the lake.
2. A 20-foot natural vegetation buffer (without mowing) be maintained along the Gull Lake area outside of the harbor.

**Staff Recommendation:** Staff recommends that the Conditional Use Permit be approved based on the findings of fact. We also recommend the following conditions:

1. A licensed engineered stormwater plan will be implemented to direct water away from the lake.
2. The new facility will be hooked up to city wastewater facilities using yet to be determined amount of connection fee credits used out of existing credits remaining based on the city wastewater superintendents’ calculations.
3. Existing garbage, recycling area, wood pile storage, and mulch pile will be relocated within the resort area to another location and will not create more impervious within this PID.
4. A small wood storage area will be added for fire pit areas in this facility.
5. Four (4) old tennis courts will be removed and replaced with grass for outdoor games.
6. All new building and patio areas will be 50 feet away from the OHW of Gull Lake.



## Staff Report

**Application #: Variance 2019-42A**

**Parcel number: 87-376-0246**

### **Applicants:**

Madden Brothers, Inc., on property described as: That part of Lots B20 and B21, AUDITOR'S PLAT OF PINE BEACH, according to the recorded plat thereof on file in the Cass County Minnesota Recorder's Office described as follows: Commencing at the northwest corner of said Lot B21; thence North 89 degrees 31 minutes 49 seconds East, assumed bearing, 147.50 feet along the north line of said Lot B21; thence South 00 degrees 28 minutes 11 seconds East 50.00 feet; thence North 89 degrees 31 minutes 49 seconds East 110.00 feet; thence North 00 degrees 28 minutes 11 seconds West 50.00 feet to said north line of Lot B21; thence North 89 degrees 31 minutes 49 seconds East 200.12 feet along said north line of Lot B21 to the point of beginning of the tract to be described; thence reversing South 89 degrees 31 minutes 49 seconds West 200.12 feet along said north line of Lot B21; thence South 00 degrees 28 minutes 11 seconds East 50.00 feet; thence South 89 degrees 31 minutes 49 seconds West 110.00 feet; thence North 00 degrees 28 minutes 11 seconds West 50.00 feet to said north line of Lot B21; thence South 89 degrees 31 minutes 49 seconds West 147.50 feet along said north line of Lot B21 to said northwest corner of Lot B21; thence South 21 degrees 42 minutes 49 seconds West 462.40 feet along the west line of said Lot B21; thence South 07 degrees 25 minutes 49 seconds West 242.10 feet along said west line of Lot B21 to the southwest corner of said Lot B21; thence North 89 degrees 31 minutes 49 seconds East 837.75 feet along the south line of said Lot B21; thence North 00 degrees 28 minutes 11 seconds West 83 feet, more or less, to the shore of a Harbor on Gull Lake; thence northwesterly, northeasterly, southeasterly and northerly along said shore to its intersection with the line that bears North 63 degrees 17 minutes 14 seconds East from the point of beginning; thence South 63 degrees 17 minutes 14 seconds West 138 feet, more or less, to the point of beginning. Subject to easements, reservations or restrictions of record, if any; PID# 87-376-0246, located at 11266 Pine Beach Peninsula, East Gull Lake, MN 56401. An application was submitted to request a variance to remove and replace the Outdoor Cookout Pavilion built in the 1970's. Part of the variance includes more extensive patios around the pavilion, removal and replacement of older tennis courts, adding pickleball courts, and adding much more attractive landscaping to the area. The property is located in the CW\* Commercial Waterfront zoning district and contains 434,702 Square feet of property.

**Directions to property** From Cass County highway 77 heading west, turn right at the Pine Beach Peninsula Road and proceed to the Tennis and Croquet building just beyond the Town Hall Conference Center, The Cookout Pavilion is located immediately north of this area along the entrance to the harbor leading to Gull Lake.

A Variance is required based upon the height of the new building exceeding the 30-foot peak height requirement.

*Proposed Findings/Conditions based on MN Statute and East Gull Lake (EGL) Land Use, Zoning and Subdivision Ordinance Section 8.2-1*

**MS 462.357 Subdivision 6 - Appeals and Adjustments** – Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

1. To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.
2. To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control; the plight of the landowner is due to circumstances unique to the property not created the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 216C.06 subdivision 14, when in harmony with the ordinance. The board of appeals and adjustment or the governing body as the case may be, may not permit a variance as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit a variance the temporary use of a one family as a two-family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

**East Gull Lake Land Use, Zoning and Subdivision Section 8.2-1** – This ordinance is adopted for the purpose of:

1. Protecting the public health, safety, comfort, convenience and general welfare.
2. Inaugurating and effectuating the goals of the Comprehensive Plan.
3. Promoting order in development by dividing the area of the City into zones and regulating therein the location, construction, reconstruction, alteration and use of the structures and the land.
4. Conserving the natural and scenic beauty and attractiveness of the City, for health and welfare of the public.
5. Providing for adequate light, air and access to property by regulating the use of the land and buildings and the bulk of structures in relation to surrounding properties.
6. Providing for the administration of the provisions of the ordinance and defining the authority and duties of the Administrator, Planning Commission, Board of Adjustment and City Council under this ordinance.

**Practical Difficulty:**

- \* Practical is defined by Webster as: 1) pertaining to actual use and experience rather than theory, 2) trained by practice or experience, 3) useful and 4) manifested in practice.
- \* Difficulty is defined by Webster as: 1) onerous, irksome, laborious, 2) troublesome, complicated and 3) trying, perverse.

\* Reasonable is defined by Merriam Webster as: 1) being in accordance with reason, 2) not extreme or excessive and 3) moderate, fair.

\* Reasonable is also defined by the Free Online Dictionary as: 1) capable of reasoning; rational, 2) governed by or being in accordance with reason or sound thinking, 3) being within the bounds of common sense and 4) not excessive or extreme; fair.

**EGL Comprehensive Plan Policies:**

1. Protect the area's lakes from damage and degradation.
2. Maintain and support the resort community in the City.
3. Preserve and enhance the scenic beauty and natural plant communities of the area.
4. Work to improve recreation opportunities for residents and visitors throughout the City.
5. Strengthen the bond that make the people who live in, work in, and visit East Gull Lake identify with the community.

**Staff Findings of Fact:**

1. It would be possible, but not practical, to push the building into the adjoining hill in the back of the building to meet the current height of 30 feet. Doing this would affect entry of staff and supplies going to the kitchen facilities and make the stormwater plan more difficult.
2. Many existing facilities within this resort are currently over the 30-foot height requirement due to construction over the last 90 years prior to this rule being in effect.
3. The design of the new structure is much more attractive than the older building being removed. It also matches the architecture of the older buildings.

**Planning Commission Direction:** The commission can recommend approval of the variance, recommend denial of the variance, or table the request if additional information is needed. If the recommendation is for approval or denial, findings of fact should be cited.

**Staff Recommendation:** Staff recommends that the variance be approved based on the findings of this report. We also recommend the following conditions:

1. Existing older tree line along Gull Lake outside of the harbor area be maintained to reduce the direct view of the building from the lake.
2. A 20-foot natural vegetation buffer (without mowing) be maintained along the Gull Lake area outside of the harbor.



## Staff Report

**Application #: Conditional Use Permit (CUP) 2019-42B**

**Parcel number: 87-376-0246**

**Applicants:**

Madden Brothers, Inc., on property described as: That part of Lots B20 and B21, AUDITOR'S PLAT OF PINE BEACH, according to the recorded plat thereof on file in the Cass County Minnesota Recorder's Office described as follows: Commencing at the northwest corner of said Lot B21; thence North 89 degrees 31 minutes 49 seconds East, assumed bearing, 147.50 feet along the north line of said Lot B21; thence South 00 degrees 28 minutes 11 seconds East 50.00 feet; thence North 89 degrees 31 minutes 49 seconds East 110.00 feet; thence North 00 degrees 28 minutes 11 seconds West 50.00 feet to said north line of Lot B21; thence North 89 degrees 31 minutes 49 seconds East 200.12 feet along said north line of Lot B21 to the point of beginning of the tract to be described; thence reversing South 89 degrees 31 minutes 49 seconds West 200.12 feet along said north line of Lot B21; thence South 00 degrees 28 minutes 11 seconds East 50.00 feet; thence South 89 degrees 31 minutes 49 seconds West 110.00 feet; thence North 00 degrees 28 minutes 11 seconds West 50.00 feet to said north line of Lot B21; thence South 89 degrees 31 minutes 49 seconds West 147.50 feet along said north line of Lot B21 to said northwest corner of Lot B21; thence South 21 degrees 42 minutes 49 seconds West 462.40 feet along the west line of said Lot B21; thence South 07 degrees 25 minutes 49 seconds West 242.10 feet along said west line of Lot B21 to the southwest corner of said Lot B21; thence North 89 degrees 31 minutes 49 seconds East 837.75 feet along the south line of said Lot B21; thence North 00 degrees 28 minutes 11 seconds West 83 feet, more or less, to the shore of a Harbor on Gull Lake; thence northwesterly, northeasterly, southeasterly and northerly along said shore to its intersection with the line that bears North 63 degrees 17 minutes 14 seconds East from the point of beginning; thence South 63 degrees 17 minutes 14 seconds West 138 feet, more or less, to the point of beginning. Subject to easements, reservations or restrictions of record, if any; PID# 87-376-0246, located at 11266 Pine Beach Peninsula, East Gull Lake, MN 56401. An application was submitted to request a CUP to remove and replace the Outdoor Cookout Pavilion built in the 1970's. Part of the CUP includes more extensive patios around the pavilion, removal and replacement of older tennis courts, adding pickleball courts, and adding much more attractive landscaping to the area. The property is located in the CW\* Commercial Waterfront zoning district and contains 434,702 Square feet of property.

**Directions to property:** From Cass County highway 77 heading west, turn right at the Pine Beach Peninsula Road and proceed to the Tennis and Croquet building just beyond the Town Hall Conference Center, The Cookout Pavilion is located immediately north of this area along the entrance to the harbor leading to Gull Lake.

A conditional use permit is required based upon grading more than 50 cubic yards outside of the shore impact zone and building a structure for semipublic use for weddings and events.

*Proposed findings/conditions based upon MS 462.3595 and the EGL Land Use, Zoning and Subdivision Ordinance 8.10-5.*

**MS 462.3595**

**Subdivision 1. Authority.** The governing body may by ordinance designate certain types of developments, including planned unit developments, and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved by the governing body or other designated authority by a showing by the applicant that the standards and criteria stated in the ordinance will be satisfied. The standards and criteria shall include both general requirements for all conditional uses, and insofar as practicable, requirements specific to each designated conditional use.

**Subdivision 3. Duration.** A conditional use permit shall remain in effect as long as the conditions agreed upon are observed, but nothing in this section shall prevent the municipality from enacting or amending official controls to change the status of conditional uses.

**EGL Section 8.10-5**

3. In permitting a new conditional use or alteration of an existing the conditional use, the Planning Commission may impose, in addition to the standards and requirements expressly specified by this Ordinance, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the City as a whole. These conditions may include, but are not limited to the following:

- A. Increasing the required lot size or yard dimension.
  - B. Limiting the height, size or location of buildings.
  - C. Controlling the location and number of vehicle access points.
  - D. Increasing the street width.
  - E. Increasing or decreasing the number of required off street parking spaces.
  - F. Limiting the number, size, location or lighting of signs.
  - G. Requiring berming, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
  - H. Designating sites for open space.
4. The Planning and Zoning Commission shall decide the issue with consideration of the following:
- A. The following must be met:
    1. The use or development is an appropriate conditional use in the Land Use Zone.
    2. The use or development, with conditions, conforms to the Comprehensive Land Use Plan.
    3. The use with conditions is compatible with the existing neighborhood.
    4. The use with conditions would not be injurious to the public health, safety, welfare, decency, order comfort, convenience, appearance or prosperity of the City.
  - B. The following must be considered:
    1. The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.
    2. The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
    3. The conditional use requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
    4. The conditional will have vehicular approaches to the property which are so designed as not to create traffic congestion or indifference with traffic on surrounding public thoroughfares.
    5. Adequate measures have been taken to provide sufficient off-street parking and loading space to the proposed use.
    6. Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner that no disturbance to neighboring properties will result.

7. The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.
8. The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

**EGL Comprehensive Plan Policies:**

1. Protect the area's lakes from damage and degradation.
2. Maintain and support the resort community in the City.
3. Preserve and enhance the scenic beauty and natural plant communities of the area.
4. Work to improve recreation opportunities for residents and visitors throughout the City.
5. Strengthen the bond that make the people who live in, work in, and visit East Gull Lake identify with the community.

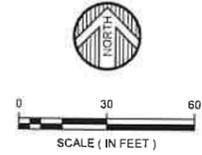
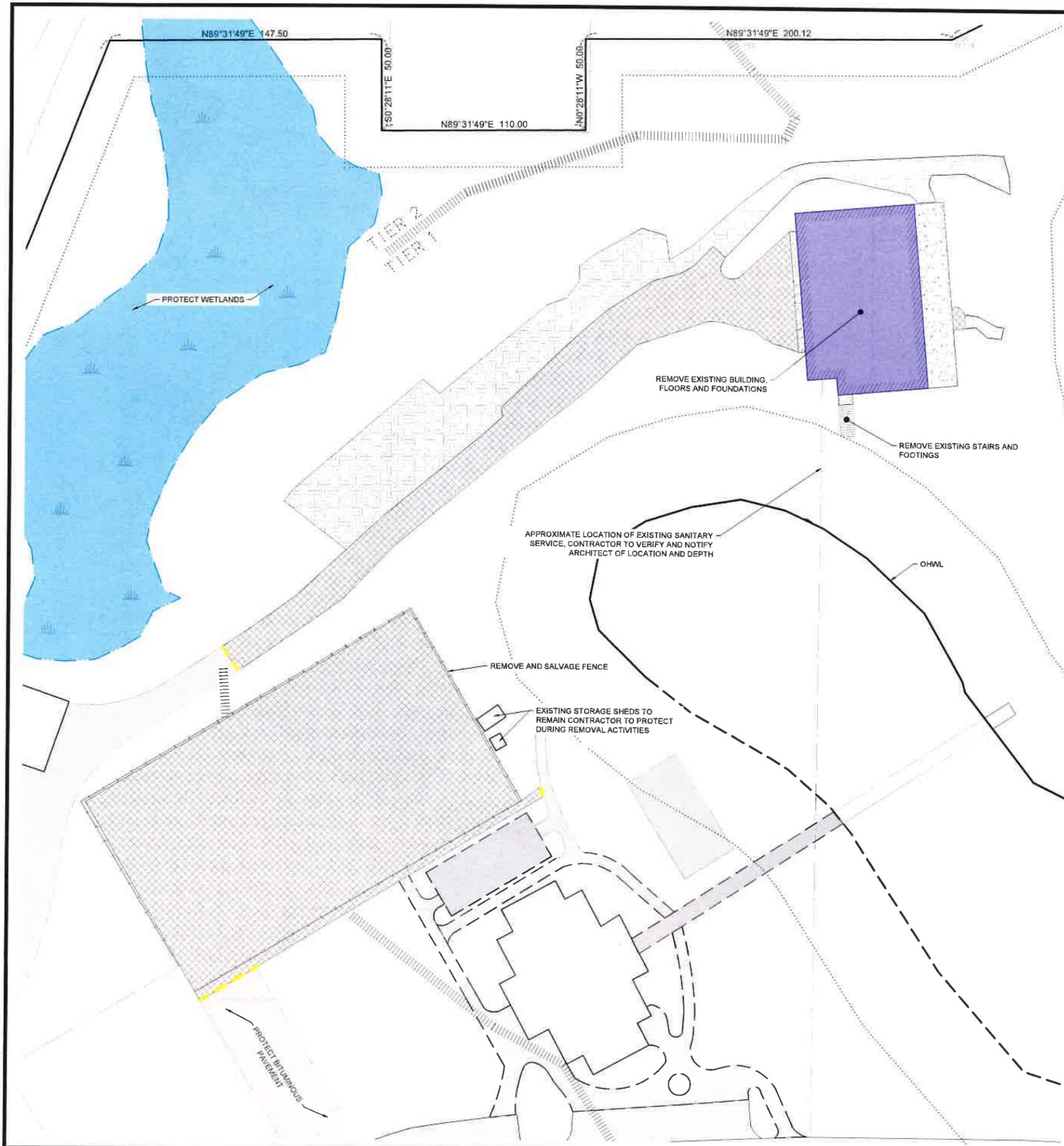
**Staff Findings of Fact:**

1. The resort currently has existing facilities for both tennis and public event uses that must be replaced due to age and deterioration of facilities.
2. Current overall impervious surface within this PID will be improved from 26.5% to 23.7% based on the tennis facilities being eliminated.
3. Tier one impervious coverage will be reduced from existing conditions of 26.8% to proposed conditions of 24.7%. The property will be rearranged and landscaped in a more attractive manner.
4. A stormwater management plan has been submitted based on impervious coverage being over 20% in this PID area.
5. Over Madden's history in the last 15 years, two (2) tennis courts and a large maintenance building have also been eliminated to improve impervious and create more green space in this area.

**Planning Commission Direction:** The commission can recommend approval of the conditional use permit, recommend denial of the conditional use permit or table the request if additional information is needed. If the recommendation is for approval or denial, findings of fact should be cited.

**Staff Recommendation:** Staff recommends that the Conditional Use Permit be approved based on the findings of fact listed above. We also recommend the following conditions:

1. A licensed engineered stormwater plan will be implemented to direct water away from the lake.
2. The new facility will be hooked up to city wastewater facilities using yet to be determined amount of connection fee credits used out of existing credits remaining based on the city wastewater superintendents' calculations.
3. Existing garbage, recycling area, wood pile storage, and mulch pile will be relocated within the resort area to another location and will not create more impervious within this PID.
4. A small wood storage area will be added for fire pit areas in this facility.
5. Four (4) old tennis courts will be removed and replaced with grass for outdoor games.
6. All new building and patio areas will be 50 feet away from the OHW of Gull Lake.



**REMOVAL NOTES:**

1. IT IS THE INTENT TO REMOVE ALL ITEMS WITHIN THE GRADING LIMITS. THIS INCLUDES MISCELLANEOUS ITEMS SUCH AS RAILINGS, BOLLARDS, SCRUBS, MULCH, SIGNS, AND LANDSCAPING ITEMS.
2. SEE ARCHITECTURAL PLANS FOR PROJECT PHASING PLANS.
3. THE CONTRACTOR SHALL REMOVE TREES AND SHRUBS AS INDICATED ON THE PLAN WITHIN THE GRADING LIMITS.
4. ALL CONCRETE SIDEWALK AND BITUMINOUS PAVEMENT SHALL BE SAWCUT PRIOR TO REMOVAL OPERATIONS.
5. ALL COMMON EXCAVATION SHALL BECOME THE PROPERTY OF THE CONTRACTOR. EXCESS MATERIAL SHALL BE EXPORTED FROM THE SITE.
6. THE CONTRACTOR SHALL PROTECT ALL ITEMS NOT PLANNED FOR REMOVAL ON THE PROJECT.
7. THE CONTRACTOR IS RESPONSIBLE FOR ALL SITE CLEARING, GRUBBING & REMOVALS.
8. REMOVAL OF PAVEMENT AND MISCELLANEOUS STRUCTURES SHALL BE PERFORMED IN ACCORDANCE WITH THE PROVISIONS OF MN/DOT 2104.
9. THE CONTRACTOR SHALL COORDINATE ALL REMOVALS AND SALVAGED ITEMS WITHIN THE CITY RIGHT-OF-WAY WITH THE CITY PUBLIC WORKS DEPARTMENT.
10. CONTRACTOR SHALL COORDINATE ALL UTILITY REMOVALS WITH THE RESPECTIVE UTILITY COMPANIES.
11. CONTRACTOR MUST INSTALL EROSION AND SEDIMENT CONTROL DEVICES, PER THE SWPPP, PRIOR TO STARTING REMOVAL ACTIVITIES.

**REMOVAL FEATURES LEGEND**

	DENOTES PROPOSED SAWCUT
	DENOTES CONCRETE DEMOLISH/REMOVE
	DENOTES BITUMINOUS DEMOLISH/REMOVE
	DENOTES GRAVEL DEMOLISH/REMOVE
	DENOTES TO DEMOLISH/REMOVE

**EXISTING FEATURES LEGEND**

	DENOTES EXISTING SANITARY SEWER SERVICE
	DENOTES EXISTING WETLAND BOUNDARY
	DENOTES TIER BOUNDARY
	DENOTES EXISTING CHAIN LINK FENCE
	DENOTES RIGHT OF WAY
	DENOTES PROPERTY BOUNDARY
	DENOTES SETBACK LINE
	DENOTES EXISTING WETLANDS



ALL UNDERGROUND AND OVERHEAD UTILITY LOCATIONS SHOWN ARE APPROXIMATE. THERE MAY BE ADDITIONAL UNDERGROUND AND OVERHEAD UTILITIES NOT SHOWN ON THE PLAN THAT MAY BE REQUIRED TO BE REMOVED. IT IS THE CONTRACTORS RESPONSIBILITY TO REQUEST A GOPHER STATE ONE CALL PRIOR TO THE START OF ANY CONSTRUCTION AND COORDINATE ALL WORK WITH THE RESPECTIVE UTILITY COMPANIES.

PRELIMINARY - NOT FOR CONSTRUCTION

**WIDSETH SMITH NOLTING**  
 Engineering | Architecture | Surveying | Environmental



BY: [Signature] DATE: [Date]  
 I HEREBY CERTIFY THAT THE PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THE LAWS OF THE STATE OF MINNESOTA.

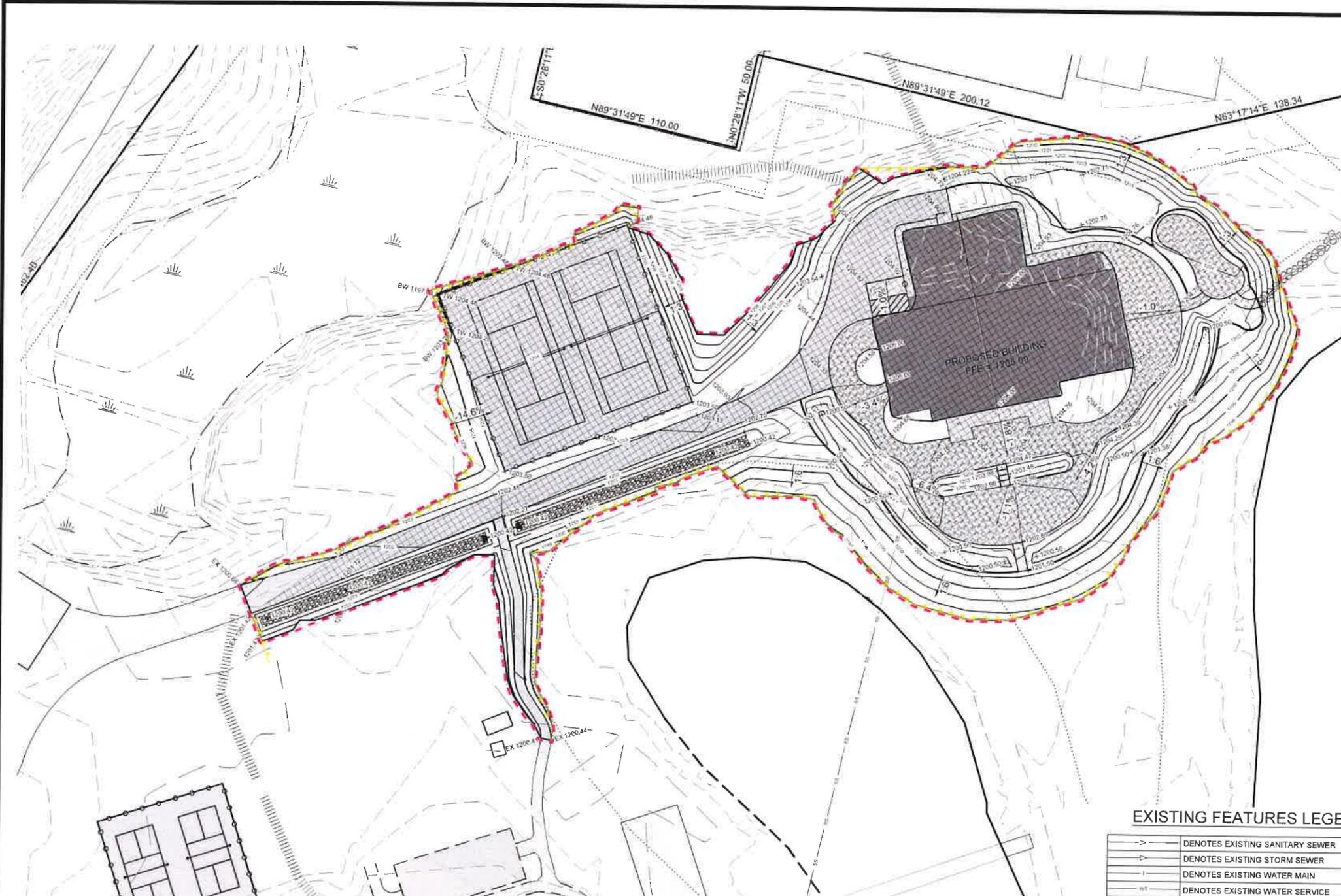
REVISIONS DESCRIPTION	DATE	INITIALS

DATE: JULY 2018  
 SCALE: AS SHOWN  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 JOB NUMBER: 02302448

MADDEN'S ON GULL LAKE - EVENT PAVILION  
 11266 PINE BEACH PENINSULA  
 BRAINERD, MN 56401  
 REMOVALS PLAN

SHEET NO:  
**C1.0**





**GRADING, & GENERAL NOTES:**

1. AN NPDES PERMIT SHALL BE APPLIED FOR BY THE OWNER AND CONTRACTOR IF DISTURBED AREA EXCEEDS 1 ACRE. AN NPDES PERMIT WILL BE REQUIRED FOR THIS PROJECT.
2. ALL EROSION CONTROL AND SILTATION CONTROL SHALL COMPLY WITH THE SITE'S SWPPP, THE MINNESOTA POLLUTION CONTROL AGENCY (MPCA) STORMWATER MANUAL AND THE REGULATIONS OF THE CITY OF EAST GULL LAKE AND CASS COUNTY.
3. SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMP'S) WHICH PREVENT SEDIMENT FROM ENTERING A WATER OF THE STATE, SHALL BE ESTABLISHED BEFORE LAND DISTURBING OPERATIONS BEGIN AND SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION HAS BEEN ESTABLISHED.  
SILT FENCE - MNDOT STANDARD PLAN 5-287.405  
INLET PROTECTION - MNDOT STANDARD PLAN 5-287.405  
TEMPORARY ROCK CONSTRUCTION ENTRANCE - MNDOT STANDARD PLAN 5-297.405  
CONCRETE WASHOUT AREA - PER MPCA GUIDELINES - LOCATION TO BE COORDINATED BY CONTRACTOR.
4. TEMPORARY STABILIZATION - TOPSOIL STOCK PILES AND DISTURBED SOIL AREAS OF THE SITE WHERE CONSTRUCTION ACTIVITY TEMPORARILY CEASES FOR AT LEAST 14 DAYS WILL BE STABILIZED WITH TEMPORARY SEEDING AND MULCH NO LATER THAN 7 DAYS FROM THE LAST CONSTRUCTION ACTIVITY IN THAT AREA. TEMPORARY SEED SHALL BE MW 22-111 APPLIED AT THE RATE OF 30.50 LBS PER ACRE. AFTER SEEDING, EACH AREA SHALL BE MULCHED WITH 200 TO 2 TONS PER ACRE OF STRAW. THE STRAW MULCH IS TO BE TACKED INTO PLACE BY A DISK WITH THE BLADES SET NEARLY STRAIGHT.
5. PERMANENT STABILIZATION - ALL DISTURBED PERSISTENT AREAS SHALL BE SEED UNLESS OTHERWISE NOTED OR SHOWN IN PLANS. ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. A MINIMUM DEPTH OF FOUR (4) INCHES OF TOPSOIL IS REQUIRED FOR ALL PERMANENT VEGETATIVE COVER. PERMANENT EROSION CONTROL BLENKETS SHALL BE APPLIED BY USING SEED MIXTURE 22-111 AT A RATE OF 220 LBS/AC. TYPE 1 FERTILIZER WITH A COMPOSITION OF 0-10-30 AT A RATE OF 350 LBS/AC. AND MULCH MATERIAL TYPE 1 AT 2 TONS / ACRE ON ALL DISTURBED CONSTRUCTION AREAS.
6. WHERE FINAL STABILIZATION IS NOT COMPLETED BY NOVEMBER 15TH, ALL DISTURBED AREAS SHALL BE DORMANT SEEDS AND COVERED WITH CATEGORY 3 EROSION CONTROL BLANKET. TEMPORARY SEED MW 22-111 SHALL BE APPLIED AT A RATE OF 30.50 LBS/ACRE. AFTER SEEDING, CAT 3 EROSION CONTROL BLANKET SHALL BE PLACED AND TACKED INTO PLACE.
7. THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE THAT DRAINS WATER FROM ANY PORTION OF THE CONSTRUCTION SITE, OR DIVERTS WATER AROUND THE SITE, MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE INTO ANY SURFACE WATER WITHIN 24 HOURS AFTER CONNECTING TO A SURFACE WATER.
8. PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER OR OUTLET.
9. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT SEDIMENT DOES NOT LEAVE THIS SITE. IT IS REQUIRED THAT THE CONTRACTOR INSTALL A STABILIZED VEHICLE EXIT TO KEEP SEDIMENT TRACKING TO A MINIMUM. THE CONTRACTOR SHALL ASSUME COMPLETE RESPONSIBILITY UNTIL ACCEPTANCE OF THE WORK BY THE OWNER.
10. ANY DEPOSITING OF SEDIMENT OR DEBRIS ON NEW OR EXISTING PAVEMENT OR IN EXISTING STORM SEWERS FROM CONSTRUCTION TRAFFIC ONTO PUBLIC RIGHT-OF-WAY SHALL BE REMOVED BY THE END OF EACH WORK DAY AND AFFECTED AREAS CLEANED.
11. THE CONTRACTOR SHALL INSPECT THE CONSTRUCTION SITE ONCE EVERY SEVEN DAYS AND WITHIN 24 HOURS AFTER RAIN EVENTS FOR DAMAGE TO EROSION CONTROL DEVICES. IF DAMAGED OR INEFFECTIVE EROSION CONTROL DEVICES ARE DISCOVERED, THEY SHALL BE REPAIRED OR REPLACED. THE CONTRACTOR SHALL MAINTAIN INSPECTION RECORDS, WHICH SHALL INCLUDE DATE AND TIME OF INSPECTIONS, DATES OF RAINFALL EVENTS, FINDINGS OF INSPECTIONS, CORRECTIVE ACTIONS TAKEN (INCLUDING DATES AND TIMES), AND DOCUMENTATION OF ANY CHANGES TO THE TEMPORARY OR PERMANENT EROSION CONTROL PLANS MADE DURING CONSTRUCTION.
12. STORM WATER RUNOFF FROM THE SITE WILL BE COLLECTED AND DRAINED TO EAST GULL LAKE. (THERE IS NOT AN IMPAIRED STREAM WITHIN 1 MILE OF SITE THAT RECEIVES RUNOFF FROM THE SITE).
13. CONTRACTOR IS RESPONSIBLE FOR ALL SITE CLEARING, GRUBBING AND REMOVALS. COORDINATE THE REMOVAL OF UNDERGROUND UTILITIES.
14. ALL PROPOSED ELEVATIONS ARE TO TOP OF PAVING OR FINISHED GRADE, UNLESS NOTED OTHERWISE. PROPOSED ELEVATIONS ARE TO PROVIDE POSITIVE DRAINAGE TOWARDS CATCH BASINS. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE THE REQUIRED ELEVATIONS, WHICH WILL PROMOTE POSITIVE DRAINAGE THROUGHOUT THE PROJECT SITE.
15. THE SITE HAS NOT NECESSARILY BEEN DESIGNED TO BALANCE THE ON-SITE MATERIALS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EARTHWORK QUANTITY ON THIS SITE. EXCESS MATERIAL, IF ANY SHALL BE DEPOSED OFF-SITE. THE CONTRACTOR SHALL IMPROVE SUITABLE MATERIAL AS NEEDED.
16. THE CONTRACTOR SHALL NOTIFY ALL APPROPRIATE ENGINEERING DEPARTMENTS AND UTILITY COMPANIES 72 HOURS PRIOR TO CONSTRUCTION. ALL NECESSARY PRECAUTIONS SHALL BE TAKEN TO AVOID DAMAGE TO EXISTING UTILITIES.
17. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND ELEVATION OF ALL UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION.
18. MAINTAIN MINIMUM 1.5' VERTICAL SEPARATION BETWEEN SEWER (SANITARY AND STORM) AND WATER MAIN.
19. SAFETY NOTICE TO CONTRACTORS: IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN OR NEAR THE CONSTRUCTION SITE.
20. PARKING LOT AND UTILITIES CONSTRUCTION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR STREET AND UTILITY CONSTRUCTION" BY THE CITY OF ROCHESTER.
21. THE CONTRACTOR SHALL MAINTAIN A 2.0% MAX. CROSS SLOPE ON ALL SIDEWALK AND ON ALL SIDEWALK THROUGH DRIVEWAY ENTRANCES.
22. THE CONTRACTOR SHALL PROTECT AND STABILIZE EXISTING UTILITY POLES DURING CONSTRUCTION ACTIVITIES.
23. SOME SLOPES ON SITE EXCEED 4:1. SLOPES STEEPER THAN 4:1 SHALL BE STABLE FROM LAND SLIDING AND SURFACE EROSION.
24. THE OWNER IS AWARE THAT SOME GRADES ON THE SITE ARE LESS THAN 2.0%. LOCALIZED PONDING MAY OCCUR AND THEY ACCEPT ALL IMPACT.

**PROPOSED FEATURES LEGEND**

	DENOTES PROPOSED SILT FENCE (7-01 SDP)
	DENOTES CONSTRUCTION LIMITS
	DENOTES PROPOSED CONCRETE PAVING
	DENOTES PROPOSED BITUMINOUS
	DENOTES PROPOSED BOLLARD
	DENOTES PROPOSED CONTOUR ANNOTATION
	DENOTES PROPOSED GUTTER OR FINISH ELEV. (UNLESS OTHERWISE NOTED)
	DENOTES PROPOSED DRAINAGE ARROW
	DENOTES EROSION CONTROL BLANKET - CAT 3
	DENOTES TEMP. ROCK CONST. ENTRANCE
	DENOTES EMERGENCY OVERFLOW ROUTE
	DENOTES SAWING PAVEMENT (FULL DEPTH)

**EXISTING FEATURES LEGEND**

	DENOTES EXISTING SANITARY SEWER
	DENOTES EXISTING STORM SEWER
	DENOTES EXISTING WATER MAIN
	DENOTES EXISTING WATER SERVICE
	DENOTES EXISTING SANITARY SERVICE
	DENOTES EXISTING EASEMENT
	DENOTES PROPERTY BOUNDARY
	DENOTES EXISTING LOT LINE
	DENOTES EXISTING OVERHEAD ELECTRIC
	DENOTES EXISTING UNDERGROUND GAS
	DENOTES EXISTING UNDERGROUND FIBER OPTIC
	DENOTES EXISTING CONCRETE
	DENOTES EXISTING SANITARY MANHOLE
	DENOTES EXISTING STORM MANHOLE
	DENOTES EXISTING STORM CATCH BASIN
	DENOTES EXISTING WATER VALVE
	DENOTES EXISTING HYDRANT
	DENOTES EXISTING ELECTRIC POLE

**SITE AREA**

EXISTING	PROPOSED
IMPERVIOUS 2.64 AC.	IMPERVIOUS 2.37 AC.
PERVIOUS 7.34 AC.	PERVIOUS 7.61 AC.
<b>TOTAL LOT AREA</b>	<b>9.98 AC.</b>
<b>TOTAL DISTURBED AREA</b>	<b>1.77 AC.</b>

**EARTHWORK**

CUT	4,101 C.Y.
FILL	2,812 C.Y.
<b>NET (CUT)</b>	<b>1,289 C.Y.</b>

EARTHWORK QUANTITIES ARE BASED UPON THE COMPARISON OF THE EXISTING AND PROPOSED FINISHED SURFACES.

**SITE ADDRESS:** 11266 PINE BEACH PENINSULA  
BRAINERD, MN 56401

**PROPOSER:** MADDEN'S ON GULL LAKE  
11266 PINE BEACH PENINSULA  
BRAINERD, MN 56401  
CONTACT: BEN THURINGER  
PH: (218) 829-2811  
EMAIL: BEN@MADDENS.COM

**ARCHITECT:** NOR-SON CONSTRUCTION  
7900 HASTINGS ROAD  
BAXTER, MN 56425  
CONTACT: JESSE HOPKINS  
PH: (800) 858-1722  
EMAIL: JESSE.HOPKINS@NOR-SON.COM

**CIVIL ENGINEER:** WIDSETH SMITH NOLTING  
3777 40TH AVE NW, SUITE 200  
ROCHESTER, MN 55901  
CONTACT: VANESSA HINES  
PH: (507) 292-8743  
EMAIL: VANESSA.HINES@WSN.US.COM

**CAUTION** ALL UNDERGROUND AND OVERHEAD UTILITY LOCATIONS SHOWN ARE APPROXIMATE. THERE MAY BE ADDITIONAL UNDERGROUND AND OVERHEAD UTILITIES NOT SHOWN ON THE PLAN THAT MAY BE REQUIRED TO BE REMOVED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REQUEST A GOPHER STATE ONE CALL PRIOR TO THE START OF ANY CONSTRUCTION AND COORDINATE ALL WORK WITH THE RESPECTIVE UTILITY COMPANIES.

**WIDSETH SMITH NOLTING**  
Engineering | Architecture | Surveying | Environmental

DATE: 02/28/2019  
BY: [Signature]  
CHECKED BY: [Signature]  
SCALE: AS SHOWN  
JOB NUMBER: 029182448

DATE	SCALE	BY	REVISIONS DESCRIPTION
JULY 2019	AS SHOWN	[Signature]	[Description]

MADDEN'S ON GULL LAKE - EVENT PAVILION  
11266 PINE BEACH PENINSULA  
BRAINERD, MN 56401

**GRADING PLAN**  
SHEET NO. **C3.0**







# Administrator's Report

## New Permits:

PERMIT #	PARCEL ID	LAST NAME	PROPERTY ADDRESS	DESCRIPTION	PERMIT TYPE	PERMIT FEE
1 2019-43	87-030-1104	Madden's	11266 PBP	replenish beach sand and grade	LUA	\$150.00
2 2019-44	87-009-4307	McKinney	TBD Green Gables	Lot line adjustment for 3 lots	Lot Split	\$300.00
3 2019-45	87-009-4315	Espenson	939 Green Gables	replace existing boat ramp damaged by ice.	LUA	\$150.00
4 2019-46	87-377-0440	LegacyHomes I	11368 Legacy Dr	Construct new residence: 4 bedroom/3-car garage	LUA	\$750.00
5 2019-47	87-337-0092	Bazal	10146 Birch Grove Rd	Re-landscape back hill to lake shoreline per rendering	LUA	\$150.00
						<b>\$1,500.00</b>

## Potential Permits:

PARCEL ID	LAST NAME	FIRST NAME	PROPERTY ADDRESS	DESCRIPTION	PERMIT TYPE
1 87-387-0250	Swanson	Jeffrey	11346 Birch Is Rd	tear down existing home & rebuild further from OHW	LUA
2 87-372-0151	Doerr	William	TBD Pine Beach Pen Rd	cleared lot for construction in Fall 2019 he says!	LUA

## 2013 -2016 Permits Update:

PERMIT NUMBER	PARCEL ID	LAST NAME	FIRST NAME	STATUS	PERMIT TYPE
1 2013-32	87-410-0400	Trout	Owen	only has very small amount of siding under the eaves and eave lighting	LUA
2 2014-38	87-376-0238	Deans	Thomas	10 x 10 shed yet to be built, no hurry	LUA
3 2016-12	87-425-0115	Wavereck	Mark & Charlene	cement slab is 1 foot to close to Line, cut it, not removed	LUA
4 2016-21	87-376-0120	Gregory	Richard	very close to finishing, building pond now	CUP/LUA
5 2016-22	87-343-0050	Ruttger	Jim	will be changing scope of project	LUA

## Completion Letters:

PERMIT NUMBER	PARCEL ID	LAST NAME	FIRST NAME	DESCRIPTION:	DATE:
1 2017-19	87-347-0100	Spalj	JR & Jane	New residence per CUP	08/20/19
2 2017-50	87-021-4401	Vobejda	Edward	tear down and build new residence/add to garage	08/20/19
3 2018-01	87-376-0112	Glenn	Joe & Shannon	new residence construction with detached garage	08/20/19
4 2018-14	87-376-0520	Cooper	Jack	tear down exist cabin; add 160sf to garage/Variance	08/20/19
5 2018-36	87-383-0130	Pelphrey	Matthew	new residence construction with detached garage	08/20/19
6 2018-64	87-387-0070	Schwendeman	Chad & Missy	construct a detached garage	08/20/19
7 2018-68	87-031-4412	Sundby	John & Betty	remove fireplc/extend deck/replace deck with 4-S porch	08/20/19
8 2018-73	87-028-1201	Kraemer	Glen	construct 28' x 35' pole building	08/20/19
9 2019-10	87-376-0217	Lynch	Bob & Shelley	Exxtensive landscaping	08/20/19
10 2019-18	87-387-0150	Conlon	Craig	Outdoor kitchen/patio; fireplace/patio; extend sidewalk	08/20/19
11 2019-26	87-400-0105	GH Twnhouse		install a 200sf firepit patio	08/20/19
12 2019-27	87-020-3106	Brock/Buettner	Mitch/Anne	Replace 10x10 shed with 10x18 shed	08/20/19
13 2019-28	87-391-0130	LundBohm	Deb	construct three season covered porch	08/20/19
14 2019-30	87-020-3104	Erickson	Jim	move constructed storage shed onto property	08/20/19
15 2019-02	87-017-2405	Ernie's	Ernie's Restaurant	add slips to the Marina	08/20/19
16 2019-03	87-017-2405	Ernie's	Ernie's Restaurant	update structure adding dormers; moving gasoline tank	08/20/19
17 2018-37	87-347-0140	Thome	Scott	2019-12 & 2019-20-home, landscape and boathouse	08/21/19

Inspections/Site Visits:						
PARCEL ID	LAST NAME	FIRST NAME	PROPERTY ADDRESS	COMMENTS/STATUS	DATE INSPECTED	PERMIT #
1 87-376 0117	Gregory	Richard	Lot A10, Aud Plat of PB	reviewed property with Dion Lybeck, Berm and Gazebo issue for CUP	08/08/19	2019-40
2 87-376-0108	Cisneros	Dan & Molly	10879 PBP Rd	reviewed house with Steve, moved water accessory structure back to save tree, see pics	08/08/19	2018-21
3 87-376-0104	Hylton	Carol	10859 PBP Rd	structure beginning to go up	08/08/19	2019-19
4 87-376-0520	Cooper	Jack	10831 PBP Rd	addition is up and finished	08/08/19	2018-14
5 87-369-0040	Wilson	Blair	1274 Gull Lake Ln	foundation in and in floor heating installed	08/08/19	2019-36
6 multi	Craguns		Suomi Dr & EGL Dr	reviewed road and stormwater, partial berms installed by dorms, trees and fence to come later.	08/09/19	2018-34
7 87-028-2301	Craguns		11402 EGL Dr	Maintenance building being framed, gas, wash station	08/09/19	2018-34E
8 87-379-0040	Funk	John & Cheryl	1388 Pike Bay Rd	2nd floor and roof	08/13/19	2018-71
9 87-020-3126	Christofferson	Brett	1404 Pike Bay Rd	just starting, took deck off	08/13/19	2019-33
10 87-356-0150	DK Investments		TBD Shady Ln	Foundation is in, borrowed soil from next door	08/13/19	2019-34
11 87-340-0030	Loschko	Mark	10052 Birch Grove Rd	floor trusses are in and capped	08/13/19	2019-24
12 87-337-0092	Bazal	Michael	10146 Birch Grove Rd	check landscape plan-10146 Birch Grove permit pending	08/13/19	n/a
13 87-367-0010	HARBOR		1181 Poplar Dr	storgae unit frame is up and ready for siding and doors	08/13/19	2019-35
14 87-376 0117	Gregory	Richard	Lot A10, Aud Plat of PB	looked at lot to be cleared and landscaped	08/14/19	2019-40
15 87-376-0104	Hylton	Carol	10859 PBP Rd	2nd floor being installed	08/14/19	2019-19
16 87-021-4401	Vobejda	Edward	10987 Gull River Rd	House project is complete, working on storage now	08/13/19	2017-50
17 87-347-0100	Spalj	JR & Jane	1100 Green Gables Rd	Project is complete, observed stormwater 2 times	08/13/19	2017-19
18 87-021-4401	Vobejda	Ed	10987 Gull River Rd	Storage shed is up, a few final touches	08/16/19	2019-31
19 87-383-0130	Pelphrey	Matthew	985 Gull Meadow Lane	Home is finished; received tour from Pelphreys	08/16/19	2018-36
20 87-020-3104	Erickson	Jim	1456 Pike Bay Rd	finished and painted to match	08/16/19	2019-30
21 87-020-3106	Brock/Buettner	Mitch/Anne	1480 Floan Pt Rd	finished and painted to match	08/16/19	2019-27
22 87-387-0070	Schwendeman	Chad & Missy	11279 Birch Isl Rd	finished and landscaped	08/16/19	2018-64
23 87-387-0150	Conlon	Craig	11333 Birch Is Rd	finished and landscaped	08/16/19	2019/18
24 87-387-0010	Gould	Kris	11241 Birch Island Rd	a few siding boards left to finish	08/16/19	2018-60
25 87-028-1201	Kraemer	Glen	11270 Leewood Ln	shed is finished	08/16/19	2018-73
26 87-391-0130	LundBohm	Deb	1385 East Pointe Dr	new screen porch is finished	08/16/19	2019-28
27 87-031-4412	Sundby	John & Betty	11995 PB Drive	new addition and deck is finished	08/16/19	2018-68
28 87-029-3413	Remmick	Dillon	11511 Lower GL Ln	ready for siding, shingles on, access cleared of materials	08/16/19	2019-37
29 87-400-0105	GH Twnhouse		11318 Green Hill Rd	firepit is built and in use	08/16/19	2019-26
30 87-407-0250	Hart	Jason & Dayla	2085 Beaver Pond Dr	project still on going, more done, need outside finished	08/16/19	2018-49
31 87-376-0112	Glenn	Joe & Shannon	1732 Yel Moc Trl	project is complete, send letter	08/19/19	2018-01
32 87-376-0217	Lynch	Bob & Shelley	10960 PBP Rd	project is complete, send letter	08/19/19	2019-10
33 87-367-0010	Harstad	HARBOR	1181 Poplar Dr	roof on and more to come	08/19/19	2019-35
34 87-357-0110	Will	Andrew	10310 Sq Pt Rd	added more black dirt	08/19/19	2019-32
35 87-357-0128	Anderson	Wallace	10346 Squaw Pt Rd	roof still not finished, son injured in work comp case	08/19/19	2018-47
36 87-367-0208	LAH, HH	Dave Mernin	1214 Harbor Pl	Home is complete and landscape	08/20/19	2018-39
37 87-367-0132	Biebighauser	Justin & Nikki	1243 Harbor Pl	Home is complete and landscape	08/20/19	2018-61
38 87-367-0134	Finch	Brian & Pat	1239 Harbor Place	Exterior is coming, lots of interior left	08/20/19	2019-09
39 87-367-0202	BB & MH		1282 Harbor Pl	exterior looking good,lots of interior	08/20/19	2018-76
40 87-017-2405	Ernie's		10424 Squaw Point Rd	remodel is done	08/20/19	2019-02
41 87-017-2405	Ernie's		10424 Squaw Point Rd	Dock and gates are in	08/20/19	2019-03
42 87-357-0255	Leonard	Bob	1248 Green Gables Rd	outside is nearly done, patio is being built	08/20/19	2017-59
43 87-347-0150	Domogalla	Kraig & Jayne	1072 Green Gables Rd	base is laid waiting for wood	08/20/19	2019-38
44 87-347-0140	Thome	Scott	1080 Green Gables Rd	house and landscape is complete	08/20/19	2018-37
45 87-347-0140	Thome	Scott	1080 Green Gables Rd	Landscaping is complete, stormwater tested 2" rain	08/20/19	2019-12
46 87-347-0140	Thome	Scott	1080 Green Gables Rd	boathouse is complete	08/20/19	2019-20
47 87-016-1105	Velasco	Jeremy	807 Green Gables Rd	deck is mostly done, still things to finish	08/20/19	2018-42
48 87-356-0110	Joe	Ranweiler	3537 Shady Lane Circle	dead trees replaced, working on sprinkler system	08/20/19	Violation
49 87-340-0030	Loschko	Mark	10052 Birch Grove Rd	wood is going up on second floor	08/20/19	2019-24