

CITY OF EAST GULL LAKE  
AGENDA  
PLANNING AND ZONING COMMISSION  
Tuesday, March 28, 2017 – 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) February 28, 2017 Regular Meeting
6. Public Hearing
  - a) McGough CUP 2017-04
7. Open Forum\*
8. P&Z Administrator's Report
  - a) Statistics

New Permits:	4
New Variances:	0
New Conditional Use:	0
Potential Permits:	0
Inspections:	28
Completion Letters:	5
New Violations:	0
Total 2017 Permits to date:	7

- b) 2013, 2014 & 2015 Existing Permits Update
      - One remaining open 2013 permit: Owen Trout garage
      - One remaining open 2014 permit: Deans shed; not completed due to storm damage
      - Eight remaining open 2015 permits
      - 36 open out of 86 total 2016 permits
    - c) Rezoning Issues
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, February 28, 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, February 28, 2017 at City Hall.

**II. Pledge of Allegiance**

**III. Roll Call**

Present: Bruce Buxton (Chair), Commission: Paul Tollefson, Nate Tuomi, Eunice Wiebolt, Rocky Waldin  
Staff Present: City Administrator Mason, Administrative Assistant Schack  
Absent: Marty Halvorson  
Audience: Warren Schneeberger

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

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

**V. Approval of Minutes**

**Motion by Commissioner Tuomi, second by Commissioner Tollefson to approve the minutes of the Tuesday, January 31, 2017 meeting.**

**VI. Public Hearings**

**A. 2017-01 CUP – Warren Schneeberger, 879 Gull Lake Dam Rd**

Administrator Mason read the public notice and staff report to the Commission. Mr. Schneeberger was asked to demonstrate where the structure was planned to be constructed in regards to the property line and where the driveway was to be placed. Discussion ensued regarding the placement of the driveway. It was noted that a driveway has the same setback as a structure and Mr. Schneeberger stated that a driveway has not been constructed, only fill put in. A condition was added to state that when the driveway is constructed, it needs to be 10 feet from the property line.

To construct a 26 x 54 (1,404 sq. ft.) storage building on a 3.32-acre parcel to accommodate collector automobiles and accessories. Current ordinance allows by CUP additional square footage of 128 sq. ft. for each ½ acre for an accessory structure over the 1,280-sq. ft. maximum. Mr. Schneeberger will have two accessory structures: one at 1,404 sq. ft. and one at 80 sq. ft. for a total of 1,484 sq. ft. (1,490 sq. ft. is allowed)

**Findings of Fact:**

1. Home owner has 3.32 acres to support this size of structure based on Section 8.5-4 (R-2), Item 6 of the City Ordinance. 128 additional sq. ft. for each ½ acre pro-rated to 210 sq. ft. for a total of 1,490 sq. ft.
2. Owner has one preexisting storage building of 8 x 10 = 80 sq. ft.
3. A number of trees were destroyed in the recent storms and the clearing of this damage provided space to build the new storage area.
4. The neighbor agreed and encouraged Mr. Schneeberger to remove trees to his property line to discourage more tree damage on vehicles and facilities on his property.

**Conditions:**

1. Based on City Ordinance 8.5-4 Residential Medium Density (R-2) CUP criteria for an accessory structure larger than 1,280 sq. ft. the setbacks from the road and the side yard should be doubled to 40 feet on the side yard and 60 feet on the road set back.

2. A minimum of 10 5-foot-tall pine trees will be planted between the road and the storage building to screen the building from public view.
3. Driveway construction shall be 10 feet from the property line.

**Motion by Commissioner Tuomi and seconded by Commissioner Wiebolt to approve CUP 2017-01 subject to the above findings of fact and conditions. Passed unanimously**

**VII. Open Forum**

Discussion ensued regarding combined/common driveways.

**VIII. Planning and Zoning Administrator's Report**

**A. Statistics**

New Permits:	4
New Variances:	
New Conditional Use:	1
Potential Permits:	
Inspections	24
Completion Letters:	6
Total 2017 Permits to:	3

**B. 2013, 2014, 2015 & 2016 Existing Permits Update**

- One remaining open 2013 permit: Owen Trout garage
- One remaining open 2014 permit: Deans reconstruction of shed
- 10 remaining open 2015 permits
- 42 open out of 86 total 2016 permits

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

**IX. Old Business**

Discussion on the Comprehensive Plan ensued. It was noted that the vision in the comprehensive plan should be presented to the Council and that the Council and the Commission should have a joint meeting to discuss the direction the City should take.

**X. New Business**

None

**IX. Adjournment**

**Motion by Commissioner Tollefson and seconded by Commissioner Tuomi to adjourn. Passed unanimously.**

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**

**Date: March 28, 2017**

**Agenda Item: 6a**

**Subject: CUP 2017-04**

**Report:**

Due to the elevations of the lot, City Code section 8.5-5 section 6, Shoreline Residential R-3 requires a 3-foot separation from the groundwater for a crawlspace. This condition cannot be met without an addition of approximately 400 to 500 cubic yards of fill and top soil to the area outside the 50-foot shoreline impact zone to raise the building site and accommodate the design of a stormwater management system to retain the run-off on this lot. A Conditional Use Permit is required when filling more than 50 cubic yards in an R-3 zone.

**Staff Findings of Fact:**

1. A new 3,888 sq ft home will be built on the site
2. Setback from OHW is 75 feet to the front of the patio and more than 80 feet to the home
3. Site is 34,648 Sq Ft
4. Total Impervious proposed with driveway, patios, and sidewalk is 8,386 Sq Ft or 24.2%
5. Based on impervious being over 20%, a stormwater management plan has been presented with two catch basins of 600 cubic feet and 70 cubic feet to capture a 5 year / 24 hour storm event per 8.5-5 section 7- B-1 of the City Code for the R3 zone.
6. Elevations currently are 1196 to 1202 on the building site per survey, lake level is 1194. A 3 foot separation above highest known groundwater per 8.5-5 section 6 table of the City Code is required.

**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. 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. Spring road restrictions will be honored for bringing in the fill as road is subject to damage



## CUP Report

**Application #:** 2017-04 - Conditional Use Permit (CUP)

**Parcel number:** 87-376-0110

**Applicants:**

**Tim and Jane McGough** on property described as Legal description, located at 1726 Yellow Moccasin Trl, East Gull Lake, MN 56401. An application was submitted to request a CUP to the City of East Gull Lake. The property is located in the R-3 zoning district and contains 37,800 Square feet of property, riparian to Gull Lake (General Development).

**Directions to property:** From Madden's Resort, proceed North on the Pine Beach Peninsula Rd approximately ¾ of a mile to the intersection of Yellow Moccasin Trail. The address of 1726 Yellow Moccasin Trail, a private driveway is just west of the intersection.

A conditional use permit is required based upon the addition and grading of approximately 400 to 500 cubic yards of fill and top soil, based upon city code Section 8.5 – 5 item 3 in the R-3 zone limiting grading and fill outside the shoreland impact zone to 50 cubic yards or less.

**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. A new 3,888 sq ft home will be built on the site
2. Setback from OHW is 75 feet to the front of the patio and more than 80 feet to the home
3. Site is 34,648 Sq Ft
4. Total Impervious proposed with driveway, patios, and sidewalk is 8,386 Sq Ft or 24.2%
5. Based on impervious being over 20%, a stormwater management plan has been presented with two catch basins of 600 cubic feet and 70 cubic feet to capture a 5 year / 24 hour storm event per 8.5-5 section 7- B-1 of the City Code for the R3 zone.
6. Elevations currently are 1196 to 1202 on the building site per survey, lake level is 1194. A 3 foot separation above highest known groundwater per 8.5-5 section 6 table of the City Code is required.

**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. 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. Spring road restrictions will be honored for bringing in the fill as road is subject to damage



**New Permits:**

PERMIT #	PARCEL ID	LAST NAME	PROPERTY ADDRESS	DESCRIPTION	PERMIT TYPE	PERMIT FEE
1 2017-01A	87-386-0105	Schneeberger	879 Gull Lake Dam Rd	Construct new storage building and driveway for access; exceeding 1280'sq	LUA	\$150.00
2 2017-03	87-376-0342	Cooper	1845 Yellow Moccasin Trl	shoreline restoration	LUA	\$150.00
3 2017-04	87-376-0110	McGough	1726 Yellow Moccasin Trl	Construct new home bringing in 400-500 yds of fill	CUP	\$446.00
4 2017-05	87-395-0110	McKinney	1347 E Pt Dr	add a 4 x 7-6 extension to landing of upper stairway	LUA	\$50.00
						<b>\$796.00</b>

**Potential Permits:**

PARCEL ID	LAST NAME	FIRST NAME	PROPERTY ADDRESS	DESCRIPTION	PERMIT TYPE

**2013 Permits Update:**

PERMIT NUMBER	PARCEL ID	LAST NAME	FIRST NAME	STATUS	PERMIT TYPE
2013-32	87-410-0400	Trout	Owen	Still needs siding; sent letter for completion requirement	LUA

**2014 Permits Update:**

PERMIT NUMBER	PARCEL ID	LAST NAME	FIRST NAME	STATUS	PERMIT TYPE
2014-38	87-376-0238	Deans	Thomas	landscape work done 2-23-16, still intends to build shed	LUA

**Violations:**

PID	LAST NAME	FIRST NAME	Address	Description/Update	Update Date

**Correspondence:**

DATE:	LAST NAME	FIRST NAME	METHOD:	DESCRIPTION:	PERMIT #

**Completion Letters:**

PERMIT NUMBER	PARCEL ID	LAST NAME	FIRST NAME	DESCRIPTION:	DATE:
1 2016-10	87-395-0120	Weeks	Linda	restore deck and porch	02/23/17
2 2016-15	87-029-1110	Muller	Bob & Carol	shoreline restoration	02/23/17
1 2016-23	87-354-0140	Schissel	Dana	construct 10x12 storage shed	02/23/17
2 2016-28	87-376-0302	Taylor	Laura	landscaping	02/23/17
1 2016-50	87-029-3417	Boelter	Chris	landscaping	02/23/17
2 2016-51	87-343-0011	Golden	Duane	construct 12x18 pole barn	02/23/17

Inspections/Site Visits:

	PARCEL ID	LAST NAME	FIRST NAME	PROPERTY ADDRESS	COMMENTS	DATE INSPECTED	PERMIT #
1	87-387-0010	Gould	Kris	11241 Birch Island Rd	Spoke to Kris about a July 1st completion date for entry deck	02/23/17	2015-41
2	87-405-0155	Holcomb	Brian & Karen	1975 Red Oak Dr	Check on landscape project 50% done per Andrew R	02/27/17	2016-71
3	87-410-0400	Trout	Owen	11625 Oak Lane	pictures of progress after letter sent about deadline	2/27/2017	2013-32
4	87-017-4101	Harstad	Marty	The Harbor at East Gull (woodtick ditch)	check on projects and pictures	02/28/17	2016-37
5	87-357-0122	Kuhn	Ron & Shari	10335 Sq Pt Rd	Shoreline ice damage and pictures, sent note to Ron and Shari	02/28/17	2016-44A
6	87-017-4101	Harstad	Marty	The Harbor at East Gull (woodtick ditch)	Check on harbor and took pictures of cap going in on sea wall	03/02/17	20196-37
7	87-029-3202	Cragun's Resort		11000 Cragun's Dr	took tour of Cragun's new cabin's , inside pics	03/02/17	2016-43
8	87-386-0105	Schneeberger	Warren	879 Gull Lake Dam Rd	measured set back from driveway 17 feet 7 inches sideyard setback Lee's	03/02/17	2017-01
9	87-386-0105	Schneeberger	Warren	879 Gull Lake Dam Rd	measured road setback and sideyard of building 132' Rd, 88' sideyard	03/06/17	2017-01
10	87-352-0110	Milloy	Paul and Marianne	800 Birch Ln	Final inspection complete, Pics taken	03/06/17	2016-24
11	87-016-1302	Lind	Gerald & Nanci	872 Birch Ln	House is done except decks lakeside, garage needs siding	03/06/17	2015-43
12	87-017-4101	Harstad	Marty	The Harbor at East Gull (woodtick ditch)	pics of Storage site and discussion with Chris Hinz, Foreman	03/06/17	2016-37
13	87-357-0245	Lamberson Cottage, LLC	Joan Ratliff	1228 Green Gables Rd	pics of outside now sided	03/06/17	2016-34
14	87-009-4305	Mc Kinney	Mr. Jared	10301 Green Gables Rd	Stoped in driveway and discussed land replat, roads etc..	03/06/17	N/A
15	87-340-0030	Loschko	Mark	10052 Birch Grove Rd	took pictures of MPCA run off issue per Cass County	03/06/17	Pending
16	87-340-0051	Sumner	Linda	10054 Birch Grove Rd	Took pic of shoreline from clearing of tees	03/06/17	N/A
17	87-020-3118	Riley	Ken & Janelle	1512 Sunset View Rd	viewed house for siding, grade,took pics	03/21/17	2015-36
18	87-357-0116	Pearson	Don & Carrie	10322 Squaw Point Rd	siding is 95% on, working on inside	03/15/17	2016-70
19	87-029-1110	Muller	Robert & Carol	11333 E Steamboat Bay	Siding is all on, landscaping left	03/21/17	2016-20
20	87-393-0108	Ross	Robert	1333 East Pointe Dr	decking is finished	03/21/17	2016-64
21	87--429-0115	Bjorlo	Mark & Elizabeth	11857 Maplewood Dr	looks very good outside, lots of landscaping, work inside	03/21/17	2016-66
22	87-399-0010	Holmquist	Colleen	11602 Green Hill Rd	picture of completed dock and stairway to lake, No Permit	03/21/17	n/a
23	87-376-0240	Anderson	Timothy & Karen	11132 PB Rd	project is complete , took pics	03/21/17	2016-53
24	87-376-0342	Cooper	Tim & Ann Rita	1845 Yellow Moccasin Trl	sand on beach permit	03/21/17	2017-03
25	87-376-0144	Carr	Harold, Mary & Steven	1862 Yellow Moccason Trl	maybe 50% done, took pics, doing roofing today	3/21/2017	2016-55
26	87-376-0134	Carney	George	10875 Mallard Ln	black dirt needs to come in, most earth moving done per Mike S	3/21/2017	2016-49
27	87-376-0120	Gregory	Richard	1766 Yellow Moccasin Trl	Dion will be working on pond and tree barrier this summer	3/21/2017	2016-21
28	87-404-0150	Kalenberg	Russ & Cyndi	2100 Norway Pine Rd	garage is up, needs siding yet	3/21/2017	2016-62