

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

Tuesday, November 26, 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, November 26, 2019 at City Hall.

II. Pledge of Allegiance

III. Roll Call

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

Absent: Paul Tollefson, Nate Tuomi

Staff Present: City Administrator Mason

Council Liaison: Carol Demgen

Audience: Andy Waletzko, John Sable, Julie Sable, Brenda VanOsdol, Wayne VanOsdol

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

Addition of short-term rentals discussion to the Administrator's Report and using Sourcewell as a facilitator for the zoning update to Old Business.

Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt 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 Waldin to approve the minutes of the Tuesday, October 29, 2019 meeting. All present voted in favor thereof. Motion carried.

VI. Public Hearings

A. Conditional Use Permit (CUP) 2019-54A – Mark & Sarah Mangan

Administrator Mason read the staff report regarding the CUP for the Mangan property. Chair Buxton asked the size of the new garage. It is 24x28. Andy Waletzko answered a few questions and made comments regarding the project. Commissioner Wiebolt asked about the pervious versus the impervious portion on the drawing. The driveway position was discussed noting it is difficult to turn around in. It was noted that the extra portion will also be an area for visitor's cars to park. The driveway being partially on the neighbor's property was discussed. The public hearing was closed and the motion was made to approve the CUP.

Findings of Fact:

1. Home was attached to the East Gull lake wastewater system in 2008.
2. A 32x32 storage garage was constructed with a permit in 1998 putting this lot over the current square feet allowed for an accessory structure; this construction date was before the 1,280 square foot limit of accessory structures was added to the city ordinance.
3. The 20 x 24 garage was older and existing which also had a 125 square foot impervious concrete apron on the lakeside which all had to be removed to allow access for the old home removal and reconstruction of a new home.
4. A permit was requested to build an additional 30 x 30 storage building on the same property on February 9,2004. This permit was denied by East Gull Lake by Community growth and was never built due to impervious and excessive accessory structures on the property.
5. The existing home or the proposed new home does not have an attached garage up to the 1,280 SQ. FT. allowed in the current ordinance rules. This is possibly due to the topography around the home and or personal preference due to it being a cabin compared to a year around home.

6. Preconstruction impervious coverage currently was 26.9% and there were also pre-existing large areas of gravel rock on the ground in various places that were not counted in the impervious calculations behind the small garage but was being removed in favor of grass in the future.
7. Removal of the existing 986 SQ. FT. of asphalt and replacement of this with a pervious surface that will add additional storage capacity to the infiltration basin. This will allow it to contain a 10-year 24-hour storm event which would help to improve the impervious to 24.5% with credit being given for the pervious surface.
8. Total removal of the asphalt turnaround area was considered, however due to the hilly topography and the area left to turnaround when leaving the garage, it is very difficult. It was instead decided to redo it in a pervious product to help this problem.
9. A pre-existing non-conforming deck and hot tub on the lakeside was removed which had encroached on the 50-foot setback. The new home design conforms to the 50-foot setback.
10. They are also removing a small fish cleaning house at the lakeside and a wood storage area between the two garages that will decrease impervious coverage in the shoreline area.

Conditions:

1. Make sure all structures to be removed are completed before final approval letter is sent.
2. Use best management practices to assure no run off from construction enters Lake Sylvan.
3. Remind the home owners of the responsibility to maintain the pervious asphalt area surface in perpetuity to maintain the effectiveness of the product.

Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt to recommend approval of CUP 2019-54A subject to the findings and conditions as presented by City Staff. Commissioners Halvorson, Wiebolt and Walden voted in favor thereof, with Chair Buxton abstaining. Motion carried.

VII. Open Forum

None

VIII. Planning and Zoning Administrator's Report

A. Statistics

New Permits:	0
New Variances:	0
New Conditional Use:	0
Potential Permits:	6
Inspections	38
Completion Letters:	1
New Violations	1
Total 2019 Permits to date:	74

B. 2013 – 2018 Existing Permits Update

- One remaining open 2013 permit: Owen Trout garage
- One remaining open 2014 permit: Thomas Deans shed
- One remaining open 2016 permit: Waverick garage
- Nine open out of 84 total 2018 permits

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

Discussion ensued regarding short-term rentals. Administrator Mason noted that Lake Shore only has two registered short-term renters so far. He noted there are 10 short-term rentals being advertised at this time in East Gull Lake. Chair Buxton noted his concern regarding single family residential homes being changed to commercial due to short-term rental mixed in with residential neighborhoods. It was noted that the state wants to increase their tax base but in turn it will affect the zoning within the city.

IX. Old Business

A. Using Sourcewell as a Facilitator for the Zoning Update

Administrator Mason noted the Planning Commission is struggling with the completion of the update of the Zoning Ordinance. He noted Sourcewell is a business in Staples that has a section that deals with planning for cities. He noted Lake Shore has contracted with Sourcewell for zoning services to complete an updated zoning ordinance. Chair Buxton noted the City needs someone with planning experience to help complete the update of our zoning ordinance. He also noted that just because he stated that the zoning for the resorts be the same, doesn't mean that is the correct assumption. He stated that the City needs to be careful that with someone else working on the zoning, care needs to be taken to keep the intent desired by the City Planning Commission. He noted that the City also needs to update the zoning map during this process.

X. New Business

A. Vanosdol Violation – After-the-fact Permit conditions not met; damage to neighbor's property

Administrator Mason noted a concerned resident called and he visited the VanOsdol property on October 11, 2019. Discussion ensued regarding the violation. Mr. VanOsdol and Mr. Sable both addressed the Commission. Chair Buxton noted that the Commission is not prepared to make any decisions at this point in time, noting the property is stabilized for the winter. It was noted that a plan should be submitted by next April for the restoration process.

IX. Adjournment

Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt 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.