



**A000698146**

**OFFICE OF THE COUNTY RECORDER  
CASS COUNTY, MINNESOTA  
CERTIFIED, FILED, AND/OR  
RECORDED ON**

**10/20/2023 11:30:26 AM**

**AS DOC #: A000698146**

**PAGES: 5**

**REC FEES: 46.00**

**KATHRYN M. NORBY  
CASS COUNTY RECORDER**

**CITY OF EAST GULL LAKE, MINNESOTA  
RESOLUTION NO. 10:01-23**

**BY SF \_\_\_\_\_ Dep TX#: 192769**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR  
Craig & Lana Helgeson**

**WHEREAS**, Craig & Lana Helgeson (“Applicant”) has submitted an application for a Conditional Use Permit to allow 23.9% impervious surface which is above the 20% allowed by ordinance to permit construction of a detached garage and driveway at 787 East Gull Bluff Drive in the City of East Gull Lake, Minnesota; and

**WHEREAS**, the property is legally described as follows:

EAGLE BLUFF ESTATES LOT 8 BLK 1, Cass County, Minnesota

**WHEREAS**, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on September 26, 2023, and has recommended approval to the City Council; and

**WHEREAS**, the City Council for the City of East Gull Lake has considered the Planning Commission’s recommendation at its October 3, 2023 City Council Meeting;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST GULL LAKE, CASS COUNTY, MINNESOTA**, that it does hereby approve the request of the Applicant for a Conditional Use Permit, based upon the following findings pursuant to MN Statute and East Gull Lake (EGL) Land Use, Zoning and Subdivision Ordinance (Ordinance). The City Council’s Findings relating to the standards are as follows:

- Section 8.5-5, 7B. of the EGL Land Use, Zoning and Subdivision Ordinance specifies:
  - B. Impervious Coverage. Impervious coverage may be increased by 5% through a Conditional Use permit if the following is provided:
    1. A stormwater retention plan showing containment of the 5-year, 24-hour [25-year, 24-hour] storm [precipitation] event on the parcel.\*\*\*
    2. Direct runoff of stormwater to adjacent water bodies, including wetlands and adjacent parcels, shall be eliminated through the use of berms or other permanent means.

\*\*\*Ordinance amendment 2013-01

*Finding: The applicant has applied for the Conditional Use Permit to allow construction of a 920 sq ft garage and paved driveway for access to the structure. Based upon the information provided by the applicant, the increase in impervious surface will be greater than 20% by 3.9% and would require granting of a Conditional Use Permit. Recommended conditions of approval will require both a stormwater retention plan consistent with the ordinance standards and also review of stormwater runoff from the site.*

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*Findings: N/A*

4. The conditional use 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.

*Findings: Access to the site remains unchanged under the current proposal.*

5. Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.

*Findings: The site plan provides off-street parking and loading which is in part, what prompts the need for additional impervious surfaces.*

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.

*Findings: N/A*

7. The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.

*Findings: The City is unaware of any natural, scenic or historical features of major significance at this site.*

8. The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

*Findings: Pending adequate planning, construction and implementation of stormwater retention and erosion control measures, the proposal would not negatively impact the surrounding existing residential neighborhood or City.*

**FURTHER BE IT RESOLVED**, that the following conditions of approval of the Conditional Use Permit shall be met:

- A) Prior to construction, a stormwater plan to contain a 25 year, 24 hour precipitation event as specified by the most recently published NOAA Atlas Point Precipitation Frequency Estimates must be submitted and approved by the City. This plan is to be implemented by the landowner(s) of the property in perpetuity (as long as the provisions of the related variance(s) and CUP(s) remain valid/applicable).
- B) Erosion and sediment control measures must be shown on the stormwater plan and must be implemented during construction of this project and maintained until vegetation is adequately



State of Minnesota    )  
                                  ss  
County of Cass        )

I, the undersigned, being the duly qualified City Administrator of the City of East Gull Lake, Minnesota, hereby certify that I have carefully compared the foregoing Resolution 10:01-23 which is found in the minutes of the City Council of the City of East Gull Lake dated October 3, 2023.

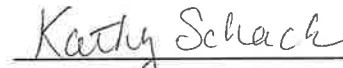
And the same is a full, true, and complete copy of said Resolution 10:01-23 as found in the City records.

Witness my hand officially as such administrator October 3, 2023.

  
\_\_\_\_\_  
Laura Christensen, City Administrator  
East Gull Lake, Minnesota

State of Minnesota    )  
                                  ss  
County of Cass        )

The foregoing instrument was acknowledged before me October 3, 2023 by Laura Christensen, City Administrator of the City of East Gull Lake, Minnesota.

  
\_\_\_\_\_  
Kathy Schack, Notary Public  
My Commission Expires January 31, 2024

