

**BOARD OF ADJUSTMENT/PLANNING COMMISSION
CITY OF LAKE SHORE
TELEPHONIC AT LAKE SHORE CITY HALL
MINUTES
JULY 13, 2020
9:00 AM**

Commission Members phoning in: Jim Woll, Arla Johnson, Glen Gustafson, Gene Hagen and Bob Toborg; Council Liaison John Terwilliger; City Engineer Joe Dubel and City Zoning Administrator Teri Hastings and City Clerk Patti McDonald. Absent were Alternates John Ingleman, Pat Hastings and Shawn Hansen. A quorum was present and the Commission was competent to conduct business. There was no one in the audience at City Hall.

Others present on the phone call were Steve and Gloria Long; and John Allen.

City Planning and Zoning Administrator Teri Hastings was present at City Hall to coordinate the telephonic conference of the July 13, 2020 Lake Shore Board of Adjustment/Planning Commission. Practicing proper social distancing present at city hall were Teri Hastings, Jim Woll and Patti McDonald.

Jim Woll called the meeting to order at 9:00 a.m. Jim went over the rules to be followed for the telephonic meeting.

Approval of the June 8, 2020 Regular Meeting Minutes – MOTION BY GLEN GUSTAFSON TO APPROVE THE MINUTES FOR THE JUNE 8, 2020 BOARD OF ADJUSTMENT/PLANNING COMMISSION AS PRESENTED. ARLA JOHNSON SECONDED THE MOTION. ROLL CALL VOTE PASSED UNANIMOUSLY.

PUBLIC HEARING –

Conditional Use Permit – Steve and Gloria Long requested a Conditional Use Permit for the purpose of constructing a 2000 square foot detached single-story accessory structure. The proposed building will meet all ordinance setbacks. The property is legally described as Lot 16, Block 1, Fawn Forest (site address 7816 Lost Lake Road) and is zoned medium density residential.

The following documents became part of the record – Notice of mailing, notice of publication, signed application and attachments and staff report. There were two phone calls from Roger Beaubien with no objections and Tim Moore questioned the visibility onto Lost Lake Road. Steve Long asked what the basis was for the concern with visibility on the road. Teri explained that after Tim spoke with her he was fine with the request.

Steve and Gloria Long explained their project and are available to answer questions of the Commission.

City Engineer Joe Dubel had no concerns with the application. There were no concerns with Commission members.

Teri's staff report indicated the following: The applicant requested a conditional use permit to construct a 2000 square foot detached accessory structure. The R-2 district allows for 1200 square feet of detached accessory structure however, with a conditional use permit the property owner can request up to 2000 square feet of accessory structure.

The proposed garage will meet all setback requirements and height requirements. Elevation drawings have been submitted. The proposed garage will be a single-story structure.

The property does contain both wetlands and a bluff; the proposed structure will not impact either of these features.

The proposed garage will have an 8/12 roof pitch and it appears from the elevation drawings that the applicant will be using the same architectural style as the house for the proposed garage. The proposed garage will be aesthetically appealing and would fit into the neighborhood. The proposed garage will most likely not be seen from the roadway or the lake. The property is very well screened.

The proposed garage will not impact the on-site septic system for the property. The existing on-site septic system is located at an adequate distance from the proposed structure.

The property will not exceed the amount of impervious surface. With the proposed additional driveway area, garage and proposed home the impervious surface will be 10.7%.

STAFF RECOMMENDATION

Recommend approval of the proposed garage as the structure is an appropriate use in the R-2 zoning district, the structure will be compatible to the existing neighborhood. The proposed garage will not be injurious to the public health, safety, welfare, appearance or prosperity of the city. The proposed addition will not impede orderly development of surrounding property.

MOTION BY GLEN GUSTAFSON TO APPROVE THE PROPOSED GARAGE AS THE STRUCTURE IS AN APPROPRIATE USE IN THE R-2 ZONING DISTRICT, THE STRUCTURE WILL BE COMPATIBLE TO THE EXISTING NEIGHBORHOOD. THE PROPOSED GARAGE WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, WELFARE, APPEARANCE OR PROSPERITY OF THE CITY. THE PROPOSED ADDITION WILL NOT IMPEDE ORDERLY DEVELOPMENT OF SURROUNDING PROPERTY. GENE HAGEN SECONDED THE MOTION. ROLL CALL VOTE PASSED UNANIMOUSLY.

Variance – John Allen has requested a variance to demolish an existing nonconforming garage and to construct a new 26’x30’ attached garage to the existing dwelling at a 6’ sideyard setback. The proposed variance request will reduce the amount of impervious surface on the site. The property is legally described as Lot 2, Block 1, Shore Acres (site address is 9018 Interlachen Road) and is zoned medium density residential.

The following documents became part of the record – Notice of mailing, notice of publication, signed application and attachments and staff report. Tom Donnelly (9036 Pebble Beach Road) and John Donnelly (9060 Pebble Beach Road) both phoned Teri saying they are in support of the project.

Teri’s staff report indicated the following: The applicant is requesting a variance to construct a 26’x30’ attached garage at a setback of 6 feet from the south property line where a 15’ setback is required. The applicant will demolish the existing nonconforming structure that has a setback of approximately 3 feet from the north lot line.

John Allen summarized his project to the Commission.

Arla Johnson asked if the sewer design was received prior to the meeting. Teri said she received the design from Rasinski and it will be a mound system that is properly sized for the home.

Joe Dubel asked if the sewer system will meet the requirements for distance from the well identified on the site plan. John Allen said he isn't required to correct his system; however, he is correcting it to bring the system into compliance even though the well is on a neighboring property.

The applicant will reduce the amount of impervious surface by relocating the garage and by eliminating a large portion of the existing driveway. This is shown on the submitted survey.

The proposed driveway will impact the existing mound system. A new septic system will need to be installed. A proposed location is shown on the survey but it appears to be too close to the neighbor's well to the north. A sewer site evaluation and design will be required to show that a compliant system can be installed. David Rasinski (licensed designer) has been contacted to do the design and it is anticipated to have the design done prior to the meeting. One leg of the driveway will remain as it is access to the adjacent property to the north. The well that serves the property is located on the south side of the home.

The applicant is also constructing an addition to the home which will meet all setbacks and a variance is not needed for the improvement. Elevation drawings have been provided of the home and garage.

The amount of proposed impervious surface for the property is 24.3% which is within ordinance guidelines. Currently, the impervious surface is at 25.2%. A maximum of 25 % impervious surface is allowed.

STAFF RECOMMENDATION

Recommend approval of the variance provided a compliant design for the septic system is submitted. The variance will not alter the essential character of the area, the proposed use is a permitted use within the R-2 zoning district. Overall, the property will be an improvement to the neighborhood.

MOTION BY ARLA JOHNSON TO APPROVE THE VARIANCE REQUEST OF JOHN ALLEN; THE VARIANCE WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE AREA; THE PROPOSED USE IS A PERMITTED USE WITHIN THE R-2 ZONING DISTRICT. GLEN GUSTAFSON SECONDED THE MOTION. ROLL CALL VOTE PASSED UNANIMOUSLY.

NEW BUSINESS – There was no new business.

OLD BUSINESS – There was no old business.

REPORTS

City Engineer – Joe Dubel had nothing to report.

Chairman – Jim Woll said they reviewed the Hendrickson plat last month and asked the status of the final plat. Teri said the Hendrickson's met all the requirements and the plat was recorded at the Cass County Recorder Office.

Council Liaison – John Terwilliger had nothing to report.

Zoning Administrator – Teri Hastings said the zoning ordinance has been delayed, but is back on track. There will be an August Planning and Zoning meeting and we will plan to hold the meeting at city hall contingent upon any changes with the COVID-19 status.

PUBLIC FORUM – There was no public forum.

MOTION BY GLEN GUSTAFSON TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF JULY 13, 2020 @ 9:20 AM. GENE HAGEN SECONDED THE MOTION. ROLL CALL VOTE PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk