

**BOARD OF ADJUSTMENT/PLANNING COMMISSION
CITY OF LAKE SHORE
LAKE SHORE CITY HALL
MINUTES
MARCH 14, 2022
9:00 AM**

Commission Members in attendance: Chair Jim Woll; Pat Hastings, Bob Toborg, Arla Johnson and Alternate Pam Poston; Council Liaison John Terwilliger; City Engineer Joe Dubel, City Zoning Administrator Teri Hastings and City Clerk Patti McDonald. Absent were Gene Hagen and Alternates Shawn Hansen and Glen Gustafson. A quorum was present and the Commission was competent to conduct business. There was 1 person in the audience at City Hall.

Jim Woll called the meeting to order at 9:00 a.m.

Approval of the February 14, 2022 Regular Meeting Minutes – MOTION BY ARLA JOHNSON TO APPROVE THE MINUTES FOR THE FEBRUARY 14, 2022 BOARD OF ADJUSTMENT/PLANNING COMMISSION AS PRESENTED. PAT HASTINGS SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING – There were no public hearing items.

NEW BUSINESS –

Lot Split – Matthew and Allison Rosenquist – Teri’s staff report indicated the following: The applicant is applying for a lot split to create two tracts of land. The property is zoned Low Density Residential which has a minimum lot size of 40,000 square feet and 20,000 square feet of buildable area. Buildable area excludes bluffs and wetlands. Tract A has an area of 65,361square feet (approximately 1.5acres) and a buildable area of 40,882 square feet. Tract B has an area of 219,484 square feet and a buildable area of 152,494 square feet. Tracts A and B each meet the 40,000 square foot lot size for the R-1 district and both have sufficient buildable area.

The applicant has submitted a survey by a licensed surveyor. Legal descriptions have been prepared for the property (Tract A and Tract B) along with the existing description. A utility easement has been provided for the electric.

The proposed tracts, meet the minimum width for the zoning district of 150'. Both tracts have access onto a public right of way (Anderson Road).

The property has wetlands on the western portion of the property. A wetland delineation has been done by Ben Meister, certified wetland delineator.

Monuments have been placed marking the corners of the property and are noted on the survey.

Building envelopes are shown on each of the tracts. Existing structures meet the setback requirements with the exception of the garage on Tract A.

The survey checklist indicates there are no slopes over 12% on the site. Contours are shown on the survey (LIDAR).

There is an existing home on the Tract A which is shown on the survey along with the septic system. Tract B has two buildings that are also shown on the survey.

The survey does not provide soils information; however, soils information has been provided on the SSTS compliance inspections on file at city hall. Each tract has a septic system and its own well. The well for Tract A is located in the crawl space and records indicate a deep well.

STAFF RECOMMENDATION

Recommend approval of the lot split as the proposed split meets the ordinance standards.

Allison Rosenquist came before the Commission to answer any questions regarding her application.

Jim Woll asked if the property is for sale. Allison said both properties are for sale.

There were no more questions or concerns from the Planning Commission or the City Engineer.

MOTION BY PAT HASTINGS TO APPROVE THE LOT SPLIT OF MATTHEW AND ALLISON ROSENQUIST AS PRESENTED; THE PROPOSED SPLIT MEETS THE ORDINANCE STANDARDS. ARLA JOHNSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

OLD BUSINESS – There was no old business.

REPORTS

City Engineer – Joe Dubel had nothing to report.

Chairman – Jim Woll said he participated in a Land Use webinar presented by the League of MN Cities; he said it was quite basic. He complimented Teri and Lake Shore on how they are following all the state regulations. Arla also participated in the webinar as well.

Council Liaison – John Terwilliger had nothing to report.

Zoning Administrator – Teri Hastings reviewed her report that was included in the packet:

Preliminary Plat -Spider Ridge: The City Council approved the recommendation from the Planning Commission on approving the Preliminary Plat of Spider Ridge with the following conditions:

- No additional vegetation removal within the bluff or shore impact zone unless a demonstrated hazard is shown and city approval is given (condition to be included in the declaration as required).
- Prior to the issuance of any permit, the city shall be provided with verification of issuance of an MPCA NPDES Permit.
- Grading and Drainage plans are to be approved by the city engineer.
- Sanitary Plans approved by the city engineer and a sewer line extension permit must be approved by the MPCA.
- All lighting for development shall comply with ordinance standards and be downcast lighting (dark sky compliant). This should be included in the declaration.
- Landscaping around each unit/cottage shall be completed within 6 months of completion of the unit/cottage.

- The open space shall be maintained and adequately preserved (condition to be included in the declaration).
- Any changes to the Homeowners Association or Declaration shall be approved by the city. The HOA and Declaration shall include such a statement.
- There shall be no changes to density unit without city approval and compliance with applicable city ordinances.
- The applicant will need to provide title opinion, financial security and a development contract prior to signing the final plat (Section 50.8).
- All professional costs incurred by the city relating to the plat shall be paid prior to city signing the final plat. Additional charges incurred after the final plat has been signed shall be paid prior to issuance of any permit.
- Review and approval of the association documents, by laws, declaration, HOA, and conservation easement by the city attorney prior to the final plat.
- Site visit and review by the Cass County Sheriff Water Patrol and DNR on final dock location. Boat lifts cannot to extend more than 2' out from the dock.
- Site visit and review by MIAC (Minnesota Indian Affairs Council) and Mille Lacs Band Historical Preservation Officer, Terry Kemper and if necessary that a representative from the Mille Lacs band be present during any excavation activities on the premises.

A letter from Sheila Johnston was submitted for the council. The letter was not read into the record but was distributed to the City Council prior to the meeting. There was no one in audience at the City Council meeting in opposition to the plat.

In addition, there is another plat by the name of Spider Ridge within the city so the name of the development will be changed to Spider Preserve as approved by the County Recorder. Teri is anticipating the final plat to be submitted for the April meeting.

Teri had a meeting with Sourcewell and she learned they are unable to complete our ordinance review and revision and they're refunding the city. She is going to reach out to Region Five to see what services they offer. Pat asked if there are a lot of changes to the Zoning Ordinance for the revision. Teri said that Sourcewell had suggested some revisions and she would like to incorporate portions of the DNR language and illustrations into Lake Shore's Zoning Ordinance. Joe Dubel will check to see what Widseth offers.

Teri asked if the Commission would like to move forward with a Shouse revision to the Zoning Ordinance. Arla thought we should move forward with the review of the Shouse revision.

PUBLIC FORUM – There was no public forum.

MOTION BY PAM POSTON TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF MARCH 14, 2022 @ 9:12 AM. BOB TOBORG SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk