

**CITY OF EAST GULL LAKE
MEETING MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 31, 2004 - 6:30 PM**

1. Call to Order – 6:30 PM

2. Roll Call

Commission: Dennis Lang, Kenneth Anakkala, Rob Mason (chairman), Craig Buchholz, Peter Dunphy

Council Liaison: Nadine Wittkopp

Staff: Charles Marohn (Planning and Zoning Administrator)

3. Public Hearings

Variance for a Metes and Bounds Subdivision (continuation), Application 04-38, Brent Gunsbury on behalf of Ronald and Patricia Manglesdorf

Administrator Marohn indicates that the applicants have requested that this application be tabled until the September meeting.

Motion to table made by Commissioner Buchholz, seconded by Commissioner Lang. Passed unanimously.

Conditional Use Permit for a Type IV Home Occupation, Application 04-74, Bruce Hines

Administrator Marohn reads the public notice.

Hines indicates that he has not read the staff report.

Chairman Mason reviews the Staff Report and the requirements for a home occupation.

Hines states that he has a pole barn, but it is small. The trailer cannot go in the pole barn, but the plows can. As far as the vehicle parking, those cannot go into the pole barn. Maybe a solution is having the mowers inside a closed trailer.

Chairman Mason states that those are all things that can be proposed.

Administrator Marohn states that the staff referenced the Brett Bermel permit, which is very similar. States that the conditions and questions raised in the report mirror those in the Bermel permit.

Chairman Mason asks if there is a consideration of additional storage.

Hines states that he has but has no firm plans.

Chairman Mason states that Hines should get a copy of the staff report and be prepared at the next meeting to come back and discuss this further in September. Asks if there were letters of concern.

Administrator Marohn states that none were received.

Chairman Mason asks for comments from the audience.

Dutch Cragun states that they have had to comply with all of the conditions, including that buildings be cement floor, that everything be stored inside, that the PCA review all gasoline records, shouldn't the same scrutiny and requirements apply to our neighbors who are also in the lawn care business. They are concerned about gasoline and pickups with gasoline in the back. They don't know how they handle oil changes and gas drainage. There is no containment and there are concerns on pollution of the golf

ponds during rain events. The one thing that is omitted from the report is the PCA requirements for fuel handling.

Commissioner Buchholz states that he wondered about the screening. Is the screening on the golf course side going to be restored?

Administrator Marohn states that one of the recommendations from the ERC is that, if no agreement can be reached, there will need to be restoration.

Commissioner Dunphy asks if there are any regulations regarding gasoline storage.

Administrator Marohn states that he is not aware of any, but will contact the MPCA.

Commissioner Lang asks if they have a storage tank.

Hines states that they do not.

Administrator Marohn briefly reviews the ERC report. States that the ERC is recommending one of two approaches. The first would have the Legacy and the Hines' coming to an agreement whereby these conflicts would be resolved. The second would be absolute compliance with the Ordinance by both property owners, an undertaking that would require significant work by both parties.

Denise Hines asks if the permit was originally issued based on a false assumption that their property was going to be acquired.

Administrator Marohn stated that the original plans showed the golf course going across this corner. There was an agreement in place at that time between Craguns and the Hines' but that agreement fell through.

Dutch Cragun states that the issue on the corner was the third step. The first step prior to the permit being issued was that we would swap property from the north and south sides. This agreement took a year and then eventually fell apart. The second issue was then buying a corner from the Hines so that there could be a wider tee shot. That was not successful. The third question then became what is a buffer. Is it trees or a hillside? They put up a buffer of dirt and then built the tees on them. The issue of the buffer was to get golf balls from coming across and onto Hines' property. The dirt buffer prevents this. Now we have to put up a 30 foot buffer on our side and the Hines' have to do the following.

Motion by Commissioner Buchholz to table this issue with an understanding that there will be issues on both sides, Craguns and Hines, if they cannot resolve these concerns within the next 30 days. Motion seconded by Commissioner Dunphy. Passed unanimously.

Chairman Mason states that we will all be better off if all parties can talk to each other instead of us and work this out between them.

Hines states that the land swap deal did not go the way Mr. Cragun stated. Asks what they can do with the easement.

Administrator Marohn states that easements are private agreements and that the City has nothing to do with that. Recommends that the parties contact their attorneys before they do anything.

Chairman Mason recommends that the parties work it out.

Ordinance Amendment to Allow Additions to Non-Conforming Structures by Conditional Use Permit, City of East Gull Lake

Chairman Mason states that this is something we have been talking about.

Administrator Marohn reviews the staff report.

Motion by Commissioner Buchholz to recommend approval of the changes to Section 4.4, seconded by Commissioner Dunphy. Passed unanimously.

Ordinance Amendment regarding Guest Quarters, City of East Gull Lake

Discussion amongst the Planning Commission and the Staff.

Administrator Marohn to come back next month with language for additional discussion and approval.

4. Additions or Deletions to the Agenda
5. Approval of Minutes
 - a. July 2004 Minutes – **Motion to approve by Commissioner Buchholz, seconded by Commissioner Anakkala. Passed unanimously.**
6. P&Z Administrator's Report
 - a. Permits
 - b. Correspondence
 - c. Potential Violations/Enforcement Action
 - d. Council Action
 - e. Applicant Feedback Survey
 - f. Variance/CUP Follow-up
7. Open Forum
8. Old Business
 - a. Craguns Hines Issues
 - b. Discussion of Waterslides
9. New Business
 - a. Metes and Bounds Subdivision, Jack Cooper

Administrator Marohn reviews the staff report. Recommends a condition that would require removal of two of the cabins within 12 months.

Cooper states that he would like to keep the smaller cabin for the grandkid's playhouse.

Motion by Commissioner Dunphy to approve the lot split with removal of two of the cabins on Tract B, seconded by Commissioner Buchholz. Passed unanimously.

10. Adjournment – 9:15 PM

Respectfully Submitted,

Charles Marohn, PE
Planning and Zoning Administrator