

CITY OF EAST GULL LAKE  
UNAPPROVED MINUTES  
PLANNING AND ZONING COMMISSION  
February 26, 2008 – 6:30 PM

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1. Call to Order

Meeting called to order by Chairperson Mason at 6:30 p.m.

2. Roll Call

Members Present: Commissioner Anakkala, Commissioner Lee, Chairperson Mason, Commissioner Dunphy.

Members Absent: Commissioner Lang

Staff Present: Timothy Schmidt, Zoning Administrator

3. Public Hearings

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Variance to Construct a Single Family Dwelling Upon a Nonconforming Lot.  
Ronald and Patricia Mangelsdorf, Property Owner  
Applications 2007-96 (Tract B) and 2007-97 (Tract C)

Chairperson Mason asks Zoning Administrator Schmidt to read the public hearing notice and provide a summary of the Staff Report.

Zoning Administrator Schmidt states that the application was submitted by the applicant in December 2007 and was tabled for the January meeting until the February 26, 2008 meeting. He explains that the applicant is requesting Variances to construct two single family homes upon two nonconforming lots as previously approved under Variance application 2004-38. The Variances would be from the bluff setback and the buildable lot area requirement of the Ordinance.

Chairperson Mason asks the applicant to explain what the changes were from the December applications and the applications for consideration by the Commission this evening.

Mr. Gunsbury states that he believes that there is an overall reduction in the structure footprint.

Mr. Gammello states that he believes that the applications are made despite a provision 4.3-4 of the Ordinance which he believes that eliminates the need for any Variance.

Mr. Gammello stated that the lot line between lot 25 and 26 was set by Variance in 2004.

Mr. Gammello asks the Contractor and the Engineer to present the Commission. Mr. Gunsbury states that he was looking at the contours of the land and fits the home to the land.

Commissioner Anakkala asks how stormwater is considered in the process.

Mr. Ramerth states that a larger assumption is used, then down to actual stormwater calculations.

Mr. Bercher explains the contour of the lots and the location of the homes on the lots. He summarizes the reasons for placement of the home on the lot including the shape of the home, the location of the garage on tract C. He references Tract B where the location of the turnaround and the stormwater retention area.

Mr. Ramerth summarizes the project, including changing the cul-de-sac to the turn around areas.

Commissioner Anakkala asks if the new proposal was altered so that the structures protrude into the bluff.

Mr. Ramerth explains that they have been altered.

Chairperson Mason asks how the numbers have changed.

Administrator Schmidt notes that the following figures were provided by the applicant. For Tract B at 2,998 s.f. of building footprint and 440 s.f. of deck and patio area. For Tract C 2,964 s.f. building footprint area and 720 s.f. footprint area.

Commissioner Anakkala stated that the City granted the property owner right-of-way to move the homes as far away from the bluff as possible.

Mr. Gunsbury explains that the design was made to show the design of the home. He asks for Mr. Ramerth present stormwater management.

Commissioner Anakkala states that stormwater management was the responsibility of the property owner.

Chairperson Mason explains that the Council reviewed information that was given to the Council and that the building envelope was presented to the Council as it was. He explains that it is a large challenge to place homes on these lots and states that the Planning Commission is trying to protect the bluff.

Mr. Gammello said there are many variables in this and that this should be discussed over time.

Commissioner Anakkala stated that he feels that the City and the Planning Commission have always asked the applicant to stay away from the bluff.

Mr. Gammello stated that there were many aspects that were discussed with the Council and he would like more discussion on these variables.

Chairperson Mason explains that the information provided previously provided a building footprint outside of the bluff area, especially on Tract C.

Mr. Ramerth explained that the designer designed the structure on Tract C in such a way as to minimize impacts such as lighting and privacy.

Commissioner Dunphy said he doesn't have as much of an issue with the Tract B house, but that the Tract C home appears to be brought further into the bluff.

Chairperson Mason states that he appreciates that privacy and lighting is taken into consideration.

Commissioner Anakkala states that the home should be shifted to the north and the east.

Mr. Gunsbury states that the winter conditions and summer conditions may impact the movement of the structure.

Chairperson Mason asks about the easement on the property.

Commissioner Anakkala states that the house is too large.

Mr. Gunsbury states that there is an issue with the bluff no matter where the bluff is placed.

Chairperson Mason states that he is familiar with the lot and the home appears to be placed well on Tract C.

Commissioner Anakkala asks if the retention pond could be made deeper.

Mr. Ramerth explains that a deeper pond would eliminate vegetation in the pond itself and the goal is to maintain vegetation – roughly 1 to 1.5 feet.

Mr. Ramerth explains that the reason for the open pond is that it is the cheapest to construct and it doesn't clog. He states that a rock system can lose capacity.

Chairperson Mason explains that the trail is also important and that the trail on the property should be constructed to the northeast as much as possible and lessen the impacts on the bluff.

Mr. Gammello states that the picture shows the building envelope to show the volume of the structure.

Chairperson Mason stated that he would like to see a lessening of the structure so as that 75% of the home is not in the bluff and more like the 1/3<sup>rd</sup> previously reviewed by the City.

Chairperson Mason asks if the deck could be lessened.

Commissioner Anakkala states that a precedent may be set by allowing a home to encroach into a bluff.

Zoning Administrator Schmidt notes that the pathway and stairs should be discussed.

Mr. Gammello states they prefer the path to the lake.

Commissioner Dunphy states that the path should be construction out of pervious pavers system.

Commissioner Dunphy states that the structure previously approved by the Council was the preferred structure footprints.

Commissioner Anakkala states that the bluff encroachment should be minimized, especially with upcoming potential Variance applications.

Commissioner Dunphy stated that his concerns were with the decks.

Mr. Gammello states that the decks may be reduced.

Chairperson Mason states that the path is preferred by the Commission.

Mr. Gammello asks about what future applications may come forward.

Commissioner Anakkala states that there are several bluff properties in the City.

Zoning Administrator Schmidt states he felt that the applicant has submitted a good plan for stormwater management and notes that the stormwater retention plan shows the retention of stormwater runoff on the more level area of the property.

Chairperson Mason notes that the applicant should have sixty days to redraw their application site plan to show a reduction in the total area of the proposed structure footprints and show the use of the path rather than stairways.

**Motion by Commissioner Dunphy to table applications 2007-96 and 2007-97 to allow the applicant 60-days to prepare revised application materials, seconded by Commissioner Anakkala. Motion passed unanimously.**

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4. Additions or Deletions to the Agenda

Chairperson Mason asks if there are any additions or deletions to the agenda.

Zoning Administrator Schmidt notes that Bob Johnson is present to present a sketch plan to the Commission.

Chairperson Mason places the item under the new business agenda.

5. Approval of Minutes  
a. January 29, 2008 Regular Meeting

Approval of the minutes.

Commissioner Lee notes a correction on page #1 of the minutes from Lee to Lang for vice chair.

**Motion by Commissioner Lee to approve the minutes of the January 29, 2008 meeting minutes as revised, second by Commissioner Anakkala. Motion passed unanimously.**

6. P&Z Administrator's Report

Zoning Administrator Schmidt provides an overview of the Zoning Administrator's report.

7. Open Forum

a. Bob Johnson, Discussion on Variance requirements.

Mr. Johnson states that he is looking to purchase the property located on Squaw Point Road. He explains that he is looking to build a somewhat larger cabin on the property with a garage to the south of Squaw Point Road. He states that he would need a Variance to do so. He provides a sketch of his proposal to the Commission.

After reviewing Mr. Johnson's revised site plan, the Commission indicates that the proposal looks good.

8. Old Business
  - a. Ordinance Amendments
    1. Review and revise accessory structure size maximum of 1,280 sq. ft.

Zoning Administrator Schmidt presented the Commission with an analysis of accessory structure size maximums and height requirements.

Commissioner Dunphy stated that structures should be capped at a maximum size.

Chairperson Mason asked the Commission to consider the residential character of the community.

Commissioner Anakkala states that the impervious surface coverage controls the size of structures.

Chairperson Mason asks others on the Commission for their opinion.

Commissioner Anakkala again asserts that the size requirement should not matter and it should be based on impervious surface coverage.

Commissioner Dunphy states that he would be uncomfortable with that level of increase.

Commissioner Anakkala states that that there could be a 1,500 s.f. limit and up to impervious with a CUP.

Commissioner Lee also stated that he would be uncomfortable with that.

Zoning Administrator Schmidt notes that the community will construct accessory structures up to the maximum allowed under the ordinance.

Chairperson Mason asks the Commission to consider family structures or units so that it may be something to consider down the line.

Zoning Administrator Schmidt states he will come back to the Commission with more notes.

2. Review and revise accessory structure height maximum to R-1 zoning district.

9. New Business

Zoning Administrator Schmidt notes that the City has received a shoreline restoration proposal for the Green Gables Road property from Hall Landscape CUP.

10. Adjourn – This agenda is not exclusive. Other business may be discussed as deemed necessary.

**Motion by Commissioner to adjourn Anakkala, seconded by Commissioner Dunphy. Motion passed unanimously.**