

CITY OF EAST GULL LAKE
UNAPPROVED MINUTES
PLANNING AND ZONING COMMISSION
April 29, 2008

1. Meeting called to order at 6:30 p.m. by Chairperson Mason.
2. Members Present: Commissioner Lang, Commissioner Anakkala, Chairperson Mason, Commissioner Lee, Commissioner Dunphey
Members Absent: None
Staff Present: Ryan Leister, Zoning Administrator
3. Public Hearings: -None
4. Additions or Deletions to the Agenda.

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

Zoning Administrator Leister states that Councilman Carlson had requested that the Planning Commission review the wastewater policy in the comprehensive plan and what its relationship to the Sylvan Lake Shores area is.

Chairperson Mason reviews information from the previous Council meeting in regard to the topic. He states that the bidding process will be taking place in the near future and that the Planning Commission is really not prepared to go into depth on this topic right now.

Commissioner Anakkala states that there may be some difficulty with appeals for the assessments on properties, and that the comprehensive plan needs to be completed first.

Discussion ensued on the Comprehensive Plan and that this needs to be completed, the citizens are at an advantage and the City is at a disadvantage in how the plan reads right now.

5. Approval of March 25, 2008 meeting minutes.

Commissioner Dunphey states that his name was omitted from the roster in the minutes

Motion by Commissioner Lang to approve the March 25, 2008 meeting minutes, seconded by Commissioner Anakkala. Motion passed unanimously.

6. Zoning Administrator's Report.

Zoning Administrator Leister reviews the permits and correspondence list with the Commission. He then explains that the City has received a report of property owners renting their properties by listing them on www.vrbo.com.

Discussion that there is correspondence in response to the Vilella application

Part C:

Zoning Administrator Leister discusses the letters regarding renting of property, Planning commission feels these are not violations

Dennis Vilella addresses the commission to discuss an application that he has submitted

The situation on Mr. Vilella's property is discussed and that a variance was granted for a single family home.

Chairperson Mason states that the variance is valid for a year

Mr. Vilella hands out a copy of some statistics of what he wants to do on the property

It is stated that this is a non conforming lot

Commissioner Dunphey states that the cabins you want to add onto are gone

Mr. Vilella says he has 2 sewer lines and wants to maximize this lot, because other lots in the area are similar

The Commission states that it is not our fault you changed you mind

Chairperson Mason says the commission will take into advisement and that Mr. Vilella should meet with CGI to discuss the situation, not just keep submitting different variance applications

Commissioner Anakkala asks about a condition of variance on other lot regarding moving some power lines

Mr. Vilella says the power company doesn't care about the power lines

Commissioner Anakkala states there is a National electric safety code and that the property does not meet it

Mr. Vilella says he has contacted the power company and they do not require anything

Chairperson Mason says it was a condition of approval and it should have to be done

Commissioner Anakkala asks for something in writing from the power company showing that they do not require this from Mr. Villella

Discussion on the Gull Sand lots

Zoning Administrator Leister explains what situation is on the Villella application and that the cabins have been removed

The Commission asks for a refresher on commercial property and what should and should not be allowed in this area

Chairperson Mason will talk to Tim Schmidt

7. Open Forum

Resident addresses Commission regarding property at Poplar drive, she states she would like to split this property so that Shawna O'Brian can build a house, there is an existing pole barn on the property that Joe Reed would continue to own

Chairperson Mason explains difficulty on lots from the photo that is presented, he states there is not enough public right of way 33 feet for the new lots, and that this lot is already land locked, and only accessed by easement

Discussion on easement and access to lots by the Commission

Commissioner Lee and Commissioner Dunphey states that the discussion problems are because you probably keep asking if you can do one thing and then another, and CGI tells you no, they advise to meet with Tim and see if there is a solution instead of keep asking about different options

Commissioner Lang asks about Shoreline restoration and states that there will be a great deal of these coming in soon due to the ice ridge damage from this winter

He submits an application

Zoning Administrator Leister discusses shoreline restoration and what the requirements are for an application

Discussion on applications for shoreline restoration and that maybe the city should ask for before and after pictures

Zoning Administrator Leister gives background on amendments and states there are two scenarios for discussion

Discussion on scenario 2 by the Commission and what could happen if this scenario was adopted

Discussion on accessory structures and setbacks and that if the structure is larger it will have to meet the double setbacks

Commissioner Anakkala asks about setbacks on ridges and setbacks from bluffs, says that this could limit what you do on a lot

Comment that a conditional use for these types of buildings is a good idea

Paul Tollefson discusses design and snowload of large pole buildings, and that there are design standards to control the snowloads

Discussion on building standards and colors and what needs to be in ordinance before amending, the Commission wants to make sure that all of their bases are covered before changing the ordinance

Discussion that scenario 1 makes the most sense and that it does include changing the height to 15 feet, Commission asks is there is a max on the building size and that maybe that should be considered

Motion to go with scenario #1 by Commissioner Dunphey, seconded by Commissioner Lang

Discussion on screening, 15 foot height, performance standards for building materials, and max size, and attached/detached structures

Motion rescinded

Motion to withdraw by Commissioner Dunphy, seconded by Commissioner Lang

Motion by Commissioner Dunphy to hold public hearing for ordinance amendment on scenario #1 as listed with 15' height max, with the condition that further information and performance standards for max size, screening, and building materials are included

Second by Commissioner Lang, Passed 4-1 Anakala

Discussion on Hoop structures

Leister discusses hoop structures and states that many are considered temporary structures

Commissioner Lang asks where do we start and stop on the restriction of these, what about someone using a tarp to cover materials

Commissioner Anakkala says impervious is not changed with many of these, and they are moved periodically

Commissioner Anakkala says maybe we should require permit for hoop structure and put a time limit on how long they can be up

Chairperson Mason says more information is needed on this to see what kind of limits to set, lets see what other cities have

Commissioner Lee says we should not be worried or set as a priority at this if it is no a big concern

Have CGI to look into permits for temporary structures

8. Old Business

a. Variance Applications 2007-96 and 2007-97; Manglesdorf.

No Discussion

Motion by Commissioner Lang to table application, seconded by Commissioner Anakkala, Passed Unanimously

Zoning Administrator Leister reviews policy on reimbursement of fees

Commissioner Lee asks if it should be applicant or citizens responsibility to incur these extra costs

Commissioner Anakkala states a sore, defend, hold harmless clause could be placed on permit

Discussion that the City Attorney should look at this

Commissioner Dunphy says there have been some complicated issues with the Annexstad and Timmons applications that they would not feel comfortable making them pay for what someone has to say

Chairperson Mason says Annexstad is a good example why this needs further review, someone can mess with you and you would have to pay all the costs

Chairperson Mason states that maybe we could hold who loses responsible

Commission suggests that the City Attorney take a look at this and that no action take place at this time

Zoning Administrator Leister discusses policy on recording

Commissioner Anakkala says maybe we should have City Attorney look at this, what if we do not follow it exactly

Commissioner Lang, Chairperson Mason said they are comfortable with this and it is basically how things are being done, or how they should be done and this will clarify things

Commissioner Dunphy makes motion to adopt the policy, seconded by Commissioner Lang. Motion passed unanimously.

9. New Business

Zoning Administrator Leister states that staff will provide further information and language to the Commission to develop Ordinance language for hoop structures and performance standards for the next meeting.

10. Adjournment

Motion by Commissioner Anakkala to adjourn the meeting at 9:00 p.m., seconded by Commissioner Lang. Motion passed unanimously.