

CITY OF EAST GULL LAKE  
APPROVED MINUTES  
PLANNING AND ZONING COMMISSION  
October 30, 2007 – 6:30 PM

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Meeting called to order at 6:30 by Chairperson Mason

Members Present: Commissioner Lang, Commissioner Anakkala, Chairperson Mason,  
Commissioner Dunphy  
Members Absent: Commissioner Lee

Staff Present: Charles Marohn, Zoning Administrator

Approval of Minutes

**Motion by Commissioner Lang to approve the September 25 meeting minutes,  
seconded by Commissioner Anakkala. Motion passed 4-0.**

Zoning Administrator Marohn presents the Administrator's Report. He presents the David Brinker potential violation report.

Mark Cross, Kueper's Builders and Architects is present. He indicates that he saw the letter from Brian Phelps but not from WSN. He stated that they are within a foot. He further explains if you take into account the difference in widths in the floor, they are close. He states that whatever the Planning Commission comes up with that needs to happen, they will work to make it happen.

Chairperson Mason asks Brinker if he agrees.

David Brinker, Property Owner, is present. He states that he would need to hear what the proposal is.

Chairperson Mason requests comments from the Planning Commission.

Dennis Lang states that he sees two issues. The first is the height, which is 1-foot, 3-inches to 3-foot, 9-inches too high. He states he would like to see a compromise between those two numbers and that this is an unfortunate situation. He further states that he likes boathouses, but the violation of the ordinance can not be accepted. The other issue is the use. It was a boathouse, but it is not a boathouse today. There needs to be a provision for that. The side of the building that was a boathouse needs to remain storage and a boathouse. This is now a guest house close to the lake and that can not be allowed.

Mr. Brinker states that we went through this and he thought this was decided.

Mr. Cross states that part of it was guest house and part was a boat house. They have submitted a plan to go back to having only the two-story part as guest house.

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---

Commissioner Dunphy states that his recollection is that the plan has been changed enough to meet the old use however he has concerns over the height. He would like to come to some agreement.

The Commission holds discussion on whether or not to count the grade change in the total new height calculation.

Mr. Cross argues that this is not how height is measured.

Commissioner Anakkala states that the height needs to be reduced by three feet. He states that the use is more important. He expressed concerns that this was a boathouse and now that has changed. He states it should be mandatory that there be a front entrance to the lake and that there should be a performance requirement of the owner that the space is going to be used as a boathouse and that these be done through a contract. He states there needs to be a boat in there at least some part of the year.

Chairperson Mason suggests that one issue be addressed at a time and asks members of the Commission if a two foot reduction in height is acceptable.

Commissioner Anakkala states that he wants three feet.

Mr. Brinker states that this is going to have to go to legal and that if the City is not going to agree with its own counsel, then this is not going anywhere.

Chairperson Mason states that there is agreement that the structure needs to be lowered. The ordinance is pretty clear on the need to not increase the height. The recommendation by the Commission to the Council is going to be to lower it.

Commission holds discussion on expansion of the guest house.

Mr. Cross states that they have agreed to limit the guest house to the proportion that it was previously.

Commissioner Anakkala states that unless it appears to be a boathouse, everyone will believe it is a guest house. He states there should be a door on the lake side.

Commissioner Dunphy states that he is comfortable with a door on the back side so long as the use was going to be storage.

Commissioner Lang states that he is indifferent to where the storage door would be.

Chairperson Mason states that he is sympathetic to the perception from the public but is also indifferent to where the door would be so long as the use would be the same.

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---

Chairperson Mason brings the discussion back to height.

Commissioner Anakkala states that have gained two feet in increasing the ceiling height. States that 3-foot, 9-inches is likely what they increased and that should be removed.

Commission discusses the height. There is a consensus that the structure must be reduced by 2-feet, 2-inches.

Mr. Brinker asks what if they put a garage door in the front and a garage door in the back.

Commission holds discussion on this issue. There is no consensus.

**Motion by Commissioner Lang that the height of the structure be lowered by 2-feet, 2-inches as identified in the SEH report. Seconded by Commissioner Dunphy. Motion passed 3-1 with Commissioner Anakkala opposed.**

**Motion by Commissioner Dunphy that the use of 408 square feet of the structure area (square footage of 34 feet x 12 feet on the first floor) shall be storage as consistent with the previous use with a boat access door to be placed on the lake side of the building consistent with the previous structure. Seconded by Commissioner Lang.**

Commissioner Dunphy states that requiring the door is based on reconsideration from the guidance of the City Council.

**Motion passed 4-0.**

Mr. Cross requests a copy of the City's database on boathouse structures.

The Commission reviews the Council action and Variance/CUP Follow Up

Open Forum – none

Old Business – Ordinance Revisions

Commission requests Staff to go through the definitions and pick out the ones that need to be reviewed for discussion at the November meeting. Additional guidance given to review the accessory structure size maximum of 1,280.

New Business

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**Motion by Commissioner Dunphy to approve application 2007-80 for a metes and bounds subdivision with findings and conditions as provided by Staff, seconded by Commissioner Lang. Motion passed 4-0.**

Planning Commission reviews the P&Z proposal for 2008.

**Motion to adjourn at 8:22 p.m. by Commissioner Anakkala, seconded by Commissioner Lang. Motion passed 4-0.**

Respectfully Submitted,

Timothy J. Schmidt  
Planning & Zoning Administrator