



STATED MINUTES

City of Crosslake Planning Commission/Board of Adjustment

February 26, 2016
9:00 A.M.

Crosslake City Hall
37028 County Road 66
Crosslake, MN 56442

1. Present: Aaron Herzog, Chair; Dave Nevin, Vice-Chair; Mark LaFon; Matt Kuker , Joel Knippel, Council Member Mark Wessels, City Attorney Brad Persons
2. Staff: Chris Pence, Crow Wing County Land Services Supervisor; Jon Kolstad, Crosslake Land Services Specialist and Celeste Torgerson, Technical/Administration Specialist
3. 2016 Election of Officers – **Motion by Nevin; supported by Knippel to elect Herzog as Chair; Motion by Knippel; supported by LaFon to elect Nevin as Vice-Chair. All members voting “Aye”, Motion carried.**
4. Adoption of 2016 Rules of Business – **Motion by LaFon; supported by Kuker to adopt the 2016 Rules of Business. All members voting “Aye”, Motion carried.**
5. 1-22-16 Minutes & Findings – **Motion by Nevin; supported by Knippel to approve the minutes & findings as written. All members voting “Aye”, Motion carried.**
6. Old Business
 - 6.1 None
7. New Business
 - 7.1 David D. Hauser & Carolyn Hauser Corbett – Variance for lot size and width
 - 7.2 David D. Hauser & Carolyn Hauser Corbett – Metes & Bounds Subdivision
 - 7.3 Tom & Carole Hektner – Variance for road right-of-way setback
 - 7.4 Chad & Barb Anderson – After-the-Fact Variance for bluff setback
8. Adjournment

**David D. Hauser & Carolyn Hauser Corbett
142080010100009**

Kevin McCormick from Land Design Solutions LLC and David Hauser were present. Kolstad read the variance request and new letters received into record. Cross Lake Planning and Zoning Department received nine (9) letters in support and two (2) letters in opposition. McCormick presented a map of the area stating that most lots do not meet the lot standards for the zoning and the lots they are proposing are larger than most lots there and fit nicely into the established community. The lot split would previously have been allowed, but ordinance changes no longer allow the split without going through the variance process. Hauser added that the property values would be increased, splitting the lots is not motivated by profit and the intentions of the ordinance should not be to restrict growth. Nevins expressed concern that creating back lots would promote pole buildings being built on lots without a primary structure. Persons stated that if they did not want to allow pole buildings without a primary structure that they could look at an ordinance change. McCormick stated that a deed restriction could be done that does not allow a pole building on the lots without a primary structure first. Herzog opened the discussion up to public comment. Jane Monson, the neighbor to the west of the Hauser's spoke in opposition stating that there is a new ordinance in place and under the new ordinance this would be the development of a nonconforming lot and questioned when the new ordinance would go into effect. Larry Smith, the neighbor to the east of the Hauser's spoke in opposition stating that the intent of a plat is that it is final once it is done, the purpose behind this has to be monetary to a certain point and that this would create access to the north property for development and a precedent should not be set to splitting lots. McCormick stated that a deed restriction could be done to not allow access to other lots. Bart Taylor spoke in favor of the application stating change should be allowed and does not want to see the neighbors controlled. Bruce Larson spoke in favor of the application stating the lots compliment the development of the neighborhood and this has nothing to do with economics, it promotes good development and smaller lots are more marketable. Herzog closed public comment. Discussion by board focused on the change in the ordinance created the needed for the variance where it would have been allowed previously; creating the lots makes them more marketable to sell and the size of the surrounding lots.

February 26, 2016 Action:

Motion by Kuker; supported by LaFon to deny the variance for lot size and lot width to create new lots.

Findings: See attached

All members voting "Aye", Motion carried.

**Tom and Carole Hektner
141810010010009**

Jeremy Kunz from Wes Hanson Builders was present to represent the applicant. Kolstad read the variance request into record. There was no public comment. Discussion concerned that the lot is an existing non-conforming lot that has limited area for expansion. The request would be an improvement to the lot and add value to it. The findings of fact questions were all answered yes.

February 26, 2016 Action:

Motion by Nevin; supported by Knippel to approve the variance for road right of way setback of 19 feet where 35 feet is required to proposed garage.

Condition:

- 1. A stormwater plan be submitted at the time the permit is applied for and implemented.**

Findings: See attached

All members voting “Aye”, Motion carried.

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Chad & Barb Anderson
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Lonnie Thomas of Thomas & Severson P.A. was present to represent the applicant. Kolstad read the variance request into record. There was no public comment. Thomas stated that his clients are aware they need a berm as part of the stormwater plan and that they would like the deck and berm specifics to be defined.

February 26, 2016 Action:

Motion by Nevin; supported by Knippel to table the variance for more defined specifications on the berm and deck.

All members voting “Aye”, Motion carried.

Matters not on the Agenda:

1. Herzog raised the question if the ordinance should be changed that requires a dwelling be built prior to an accessory structure on a lot.
2. The topic of alternates was brought up and whether or not alternates should have terms so new ones can be appointed.

Motion by Nevin; supported by LaFon to adjourn at 11:11 A.M.

All members voting “Aye”, Motion carried.

Respectfully yours,

Celeste Torgerson

Celeste Torgerson
Technical/Administrative Specialist