



STATED MINUTES

City of Crosslake Planning Commission/Board of Adjustment

August 28, 2015
9:00 A.M.

Crosslake City Hall
37028 County Road 66
Crosslake, MN 56442

1. Present: Aaron Herzog, Chair; Dave Nevin, Vice-Chair; Joel Knippel; Matt Kuker and Council Member Gary Heacox
2. Absent: Mark Lafon
3. Staff: Chris Pence, Crow Wing County Land Services Supervisor; Jon Kolstad, Crosslake Land Services Specialist; and Cheryl Stuckmayer, Technical/Administration Specialist
4. 7-24-15 Minutes & Findings – **Motion by Nevin; supported by Knippel to approve the minutes & findings as written. All members voting “Aye”, Motion carried.**
5. Old Business
 - 5.1 None
6. New Business
 - 6.1 Patrick J & Karen C Minger – Variance for bluff setback
 - 6.2 Island Lake Storage Company, LLC – Metes & Bounds Subdivision
7. Other
8. Adjournment

**Patrick J & Karen C Minger
142090010030009**

Kolstad read the request into the record along with the permit history of the neighboring parcels. Herzog verified that the location of the request would not be any closer to the existing bluff, the addition was on the roadside away from the bluff and that the excavation process would use a vacuum procedure. Herzog invited Minger, the applicant who has a general construction business and his representative Holm from Anders Holm Construction Co to the podium. Holm explained the variance request, location, and the proposed method of accomplishing the excavation along with the fact that there would be no effect on the stormwater plan which would be directed to the road side. Holm and Minger went into further detail to explain the 8 inch vacuum hose method and the injection of the soil solidification to hold the ground in place, which would eliminate the need of a 1 to 1 slope for the excavation of the basement on the sides of the existing structure. Minger stated that they drill a 1 inch hole approximately 12 inches apart, insert a tube in each hole which creates basically an 18 inch sand pillar that the wall foundation is poured on. The road side of the project will utilize traditional block footings. This procedure is used in consideration of the bluff. Herzog stated the conforming building envelope is extremely small and current dwelling and garage are not in the building envelope but they did meet the ordinance at the time of construction. Herzog opened the public hearing with no response, so the public hearing was closed. Herzog asked if any of the commissioners had additional questions, but none were forthcoming. Herzog requested Kolstad to initiate the findings of fact procedure with the board members deliberating and responding to each question.

August 28, 2015 Action:

Motion by Nevin; supported by Knippel to approve the variance for:

- 1. Bluff setback of 10 feet where 30 feet is required to proposed addition to dwelling**
- 2. Bluff setback of 0 feet where 30 feet is required to proposed covered deck to dwelling**
- 3. Bluff setback of 0 feet where 30 feet is required to proposed basement to dwelling**
- 4. Dirt moving in bluff of 208 cubic yards where 0 cubic yards are allowed**

To construct:

- 308 square foot addition to existing dwelling**
- 183 square foot covered deck to existing dwelling**
- 635 square foot basement to existing dwelling crawl space**

August 28, 2015 Planning & Zoning Commission Meeting

Per the findings of fact as discussed, the on-sites conducted on 8-27-15 and as shown on the certificate of survey received at the Planning & Zoning office dated 7-23-15 located at 38259 Whitefish Road, Crosslake, MN 56442

Conditions:

- 1. Work with the staff to implement the submitted stormwater plan**
- 2. Work with the staff on the temporary erosion control/sediment during construction**
- 3. Use the soil solidification process**

Findings: See attached

All members voting “Aye”, Motion carried.

**Island Lake Storage Company, LLC
142350020080009**

Herzog explained to the public that the commissioners would not be approving or denying the request but submitting a recommendation to the Crosslake City Council. Kolstad read the request into the record. Planning Commission / Board of Adjustment on-site 8-27-15 showed the request is consistent with several parcels in the area. Discussion pursued with Commissioners as to the size of the structure and ordinance requirements. Herzog invited Lee, the owner, to the podium. Lee explained the adjoining southern parcel history, the business, ownership of parcel, and the power company agreement to build under their power lines. It was clarified that all ordinance requirements are being met to subdivide the parcel. Pence stated that the northern part of all proposed parcels have a natural retaining area for stormwater to be directed to. Kuker asked for an explanation on the southern easement of the proposed parcels. Herzog opened the public hearing with no response, so the public hearing was closed. Nevin stated the lots are limited commercial with requirements of 20,000 square feet each. McGrath, Northland Pet Lodge, explained his and neighboring parcel's current stormwater plans. Herzog requested Kolstad to initiate the findings of fact procedure with the board members deliberating and responding to each question. Kolstad read Reese, City Engineer's comments into the record.

August 28, 2015 Action:

Motion by Kuker; supported by Knippel to recommend the subdivision to the city council for:

- 1. To subdivide parcel #142350020080009 involving 2.26 acres into 3 tracts**

Per the findings of fact as discussed, the on-site conducted on 8-27-15 and as shown on the Certificate of Survey received at the Planning & Zoning office dated 7-24-15 located on Northern Terrace, Lot 8, Block 2, M and D Addition to Crosslake, Sec 28, City of Crosslake

Conditions:

- 1. Recommended to city council as submitted and to work with staff on stormwater plans as parcels are being development**

Findings: See attached

All members voting "Aye", Motion carried.

**Crosslake Planning & Zoning
Nuisance Ordinance Review**

Pence read into the record a brief review of the highlighted areas of the Little Falls nuisance ordinance as a reminder of what was discussed from the July Planning Commission / Board of Adjustment meeting. Kolstad explained the memo he put together on possible wording that could be used and implemented into the Crosslake code and how this would enhance the current code. Kolstad also recommended that the city council have guidelines for the enforcement of this city code. Herzog asked attending council members, Heacox and Wessels, if they would consider citation tickets to be issued by staff or police as an enforcement procedure. Heacox answered that the city attorney and the city council would determine the enforcement methods. Pence explained the county procedure to give a citation by the county guidelines and funding requirements. Discussion pursued as to Land Use history of events and how to proceed with enforcement, expense and time limits on nuisance offenders. Herzog requested an informal look into discussing the enforcement aspect at the city council level. Pence specified that no citation tickets could be issued until city attorney verifies the action and he is ready to legally pursue. Pence also pointed out that two enforcement procedures should be put in place; one for those offenders that are working towards rectifying the situation and another to resolve those that are not willing to do anything. Kuker proposed an option of possibly signing with a business on a yearly bases with a contract outlining the cost of cleanup and accessing the cost to the owner thru property tax. Pence reminded the commissioners that the city council would like to have their input by September or October at the latest. Herzog mentioned the possible need for wording on the sale of vehicles in locations other than on the owner's property. Wessels & Heacox did not object to selling vehicles at any location and did not want to limit them to just the owner's property. Wessels suggested that the commissioners look thru the memo Kolstad put together and discuss it with residents then revisit the issue at the September Planning Commission / Board of Adjustment meeting. Pence and Heacox agreed that a referral to the October City Council meeting would be inline.

**August 28, 2015 Action:
No motion required.**

Matters not on the Agenda:

1. There were no matters not on the agenda

Motion by Nevin; supported by Kuker to adjourn at 10:20 A.M.

All members voting "Aye", Motion carried.

Respectfully yours,

Cheryl Stuckmayer

Cheryl Stuckmayer
Technical/Administrative Specialist