

SPECIAL JOINT COUNCIL MEETING  
WITH PLANNING AND ZONING COMMISSION  
CITY OF CROSSLAKE  
THURSDAY, JANUARY 26, 2017  
10:00 A.M. – CITY HALL

The Council for the City of Crosslake met in a Special Joint Session with the Planning and Zoning Commission on January 26, 2017. The following Council Members were present: Mayor Patty Norgaard, Gary Heacox, Brad Nelson, Dave Schrupp and Dave Nevin. The following Commission Members were present: Aaron Herzog, Matt Kuker, Joel Knippel, Mark Wessels, and Mark Lafon. Also present were Finance Director/Treasurer Mike Lyonais, City Clerk Char Nelson, Crow Wing County Land Service Supervisor Chris Pence, Land Services Specialist Jon Kolstad, Customer Service Specialist II Cheryl Stuckmayer, City Attorney Brad Person, Northland Press Report Kate Perkins, and Echo Journal Reporter Theresa Bourke. There were three people in the audience.

1. Mayor Norgaard called the Special Council Meeting to order at 10:00 A.M. The Pledge of Allegiance was recited.
2. MOTION 1SP1-01-17 WAS MADE BY BRAD NELSON AND SECONDED BY GARY HEACOX TO APPROVE THE APPLICATION FOR DISPLAY OF FIREWORKS FROM HOLLYWOOD PYROTECHNICS, INC AT THE WINTERFEST ON FEBRUARY 3, 2017 AND TO AUTHORIZE THE MAYOR AND FIRE CHIEF TO SIGN APPLICATION. MOTION CARRIED WITH ALL AYES.
3. Planning and Zoning Commission Chair Aaron Herzog called the Planning and Zoning Meeting to order at 10:02 A.M.
4. a. Aaron Herzog reported that the Commission has had some issues with the ordinance interpretation of accessory structures and would like to receive feedback from the Council whether changes to the ordinance are needed. Areas of concern included structure size, structure height, structure quantity per parcel, structure architectural standards, and lot size. A lengthy discussion ensued regarding the current standards and suggestions on what could be improved. The Planning and Zoning Commission recently approved a variance allowing a 1515-foot accessory structure rather than the 1200 foot maximum with an agreement restricting the number of accessory buildings to one. If a parcel is large enough, a property owner could have several 1200 foot structures. Mr. Herzog suggested that the size of an accessory structure could be dependent on the size of the parcel.

Dave Nevin suggested that the height of pole barns built on lake lots not exceed the main cabin height and that all buildings on a lot be the same color. Some property owners build accessory structures before the main dwelling. Attorney Person stated that some cities require a certain building order: primary first, then garage, then accessory building. Chris Pence asked if it was reasonable to require property owners to change the colors of all the buildings if a shed is added several years later. Color is subjective and difficult to enforce. Brad Nelson did not think color of buildings was a widespread issue and was not

in favor of telling property owners what their property should look like. Gary Heacox agreed that color should not be regulated. Patty Norgaard noted that the MN Design Team surveys showed that people wanted Crosslake to have an “up north feel and natural environment.” The Mayor stated that property values could be affected by the appearance of their neighbor’s property. Mark Wessels agreed with Brad Nelson and stated that builders in the area try to guide their customers with quality suggestions because they don’t want their name associated with ugly.

Aaron Herzog noted that another recent issue at the commission was when a property owner excavated the lakeside of the property and added a patio without full disclosure. Although staff asks for elevations during the permitting process, it is not required by the ordinance. It was the consensus of the members to have staff/commission change the language in the ordinance to require elevations in the permit application and to base the accessory size on the lot size and to bring the suggestions back to the Council.

Public Works Director Ted Strand arrived at 10:30 A.M.

- b. The issue of controlled access lots was raised in November 2016 when a property owner complained that his neighbor listed his off-lake home for sale with the amenity of having “lake access.” The neighbor purchased a lake home in the same development as the off-lake home and offered the buyer of the off-lake home a 20’ easement on his new lot on the lake with a new dock. Attorney Person explained that the City does not control easements and that easements are not the same as controlled accesses. The City does not control the number of docks on a property and that determining who was using the docks would be difficult. Chris Pence stated that neighbors are the best resource for reporting violations. It was the consensus of the members to direct staff to add language to the ordinance restricting formal easements to lake accesses.
  - c. Jon Kolstad reported that the current ordinance requires property owners to have a dwelling or permit to build a dwelling before a tent or camper could be put on any parcel. Use of a tent or camper is limited to 14 days per year. A person with a 40-acre lot with no dwelling would not be allowed to camp there. Suggested changes to this ordinance included restricting this rule to shoreland lots and imposing setbacks for tents and campers on other lots. It was the consensus of the members to direct staff to make changes to this ordinance.
5. Ted Strand gave an update on the wastewater treatment plant improvements. At this time there are no plans to expand the service area. Dave Schrupp reported that the plant needs to be repaired and automated so that high flows in the summer and on holidays can be handled by spreading the flow out over a 24-hour period. The addition of an equalization basin will do this. Brad Nelson stated that the need for upgrades is immediate.

Ted Strand stated that the Mayor has charged him with researching sanitary sewer districts for other highly populated areas of the City. The City could require a septic compliance every three years. Dave Schrupp noted that the upgrades to the sewer plant could include the ability to accept and treat waste from private haulers. This could increase sewer revenue. When

asked, Ted Strand stated that staff prefers the proposal from Bolton & Menk to complete the upgrade.

Gary Heacox left the meeting at 11:10 A.M.

6. Aaron Herzog noted that the Planning and Zoning Commission has three alternate members. These members rarely attend meetings. Mr. Herzog suggested that a requirement be added that all members must attend meetings at least two times per year. Attendance keeps members up to date with current issues. Dave Nevin asked if the Council Liaison could fill in when a quorum is not present. Attorney Person stated that the ordinance could be changed to add these suggestions.
7. Aaron Herzog asked if a representative from the Planning and Zoning Commission could attend WAPOA meetings. Attorney Person stated that the Commission would need to appoint a person and that the representative would not be able to speak for the City or the Commission. WAPOA members could be invited to attend the Planning and Zoning meetings. Staff sends WAPOA a meeting packet so that they are aware of the upcoming agendas.
8. Aaron Herzog commended the Planning and Zoning staff for their skills and suggested that they take a larger role in the City by attending other commission meetings. Chris Pence replied that they can attend other meetings when needed, however, summer is a very busy time. Advance notice would be required.
9. AARON HERZOG ADJOURNED THE PLANNING AND ZONING COMMISSION MEETING AT 11:35 A.M.
10. There being no further business at 11:35 A.M., A MOTION 1SP1-02-17 WAS MADE BY DAVE NEVIN AND SECONDED BY BRAD NELSON TO ADJOURN THE MEETING. AYES: ALL.

Respectfully submitted by,



Charlene Nelson  
City Clerk

City Clerk/Minutes/1-26-17