



STATED MINUTES

City of Crosslake Planning Commission/Board of Adjustment

November 20, 2018
9:00 A.M.

Crosslake City Hall
37028 County Road 66
Crosslake, MN 56442

1. Present: Chair Aaron Herzog; Vice-Chair Matt Kuker; Mark Wessels; Joel Knippel; Mark Lindner; Alternate Bill Schiltz; and Liaison Council Member Dave Nevin
2. Absent: None
3. Staff: Jacob Frie, Environmental Services Supervisor and Cheryl Stuckmayer, Customer Service Specialist
4. 10-26-18 Minutes & Findings – **Motion by Lindner; supported by Kuker to approve the minutes & findings as written. All members voting “Aye”, Motion carried.**
5. Agenda amendment; Island View Association Inc application withdrawn – **Motion to accept by Knippel; supported by Schiltz. All members voting “Aye”, Motion carried.**
6. Old Business
 - 6.1 Island View Association Inc – Variance for controlled accesses, lot sizes, lot widths, building envelopes, type I septic systems and septic site suitabilities (**WITHDRAWN**)
7. New Business
 - 7.1 Ulring Family Real Estate Trust (Joel) – After the fact (ATF) variance for a road right-of-way
 - 7.2 Ulring Family Real Estate Trust (Joel) – Variance for a road right-of-way
 - 7.3 David Nevin - Metes & bounds subdivision
8. Other Business
 - 7.1 Staff Report
9. Open Forum
10. Adjournment

**ULRING FAMILY REAL ESTATE TRUST
141340000020009, 141340000030009, 141340000040009,
141340000050009**

Herzog announced the after-the-fact variance request and invited Ulring, the applicant/owner to the podium. Kolstad read the after-the-fact variance request, project details, no comments received, minimal impervious, city sewer hooked up, history of obtaining a permit for the accessory structure, survey for consolidation of 4 lots by the owner revealed the setback error, wetland fill permit, history of the parcel and the surrounding parcel history into the record. Lindner stated the visibility is good and is not effected by the structure location. Kuker asked for clarification of the accessory structure permit approval with Kolstad explaining the permit procedure and new equipment acquired since that approval. Herzog asked if any of the commissioners had additional questions, but none were forthcoming. Herzog opened the public hearing with no response, therefore the public hearing was closed. Herzog requested Kolstad to initiate the findings of fact procedure with the board members deliberating and responding to each question.

November 20, 2018 Action:

Motion by Lindner; supported by Knippel to approve the after-the-fact variance for:

- **Road Right-of-Way setback of 25.95 feet where 35 feet is required to a structure**

To allow:

- **784 square foot garage**

Per the findings of fact as discussed, the on-site conducted on 11-19-18 and as shown on the certificate of survey received at the Planning & Zoning office dated 9-10-18 for property located 35256 Riverwood Trail, Sec 21, City of Crosslake

Conditions:

Chapter 26 – Land Use; Sec. 26-227 Variance Decision - Variances must be substantially completed within two years of receiving approval – the approval of this variance will expire on 11-20-20

Findings: See attached

All members voting “Aye”, Motion carried.

**ULRING FAMILY REAL ESTATE TRUST
141340000020009, 141340000030009, 141340000040009,
141340000050009**

Herzog announced the variance request and invited Ullring, the applicant/owner to the podium. Kolstad read the variance request, project details, no comments received, minimal impervious, city sewer hooked up, survey for consolidation of 4 lots by the owner revealed the setback error, wetland permit obtained, history of the parcel and the surrounding parcel history into the record. Nevin asked for clarification on the 10x60 area marked, as observed at the on-site, with Ullring stating it is the fill area for the addition to the accessory structure. Herzog opened the public hearing with no response, therefore the public hearing was closed. Kuker asked if the city road authority had any comments concerning the second access; no comments were received. Herzog requested Kolstad to initiate the findings of fact procedure with the board members deliberating and responding to each question.

November 20, 2018 Action:

Motion by Kuker; supported by Lindner to approve the variance for:

- **Road Right-of-Way setback of 28.19 feet where 35 feet is required to a structure**

To construct:

- **896 square foot addition to existing garage**

Per the findings of fact as discussed, the on-site conducted on 11-19-18 and as shown on the certificate of survey received at the Planning & Zoning office dated 9-10-18 for property located 35256 Riverwood Trail, Sec 21, City of Crosslake

Conditions:

Chapter 26 – Land Use; Sec. 26-227 Variance Decision - Variances must be substantially completed within two years of receiving approval – the approval of this variance will expire on 11-20-20

1. **Work with the staff to review, alter and implement as needed the submitted stormwater plan in accordance with the City of Crosslake land use ordinance**

Findings: See attached

All members voting “Aye”, Motion carried.

David M Nevin
120102200000009

Herzog announced the metes & bounds subdivision request and invited Nevin, the applicant/owner to the podium. Kolstad read the metes & bounds request, subdivision details which meets & exceeds requirements, no comments received, proposed easement for the north parcel, two site suitabilities per new parcel, history of the parcel and the surrounding parcel history into the record. A site suitability requirement discussion was held with Nevin and the commissioners. Herzog opened and closed the public hearing due to no response. 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.

November 20, 2018 Action:

Motion by Knippel; supported by Schiltz to approve a recommendation to the city council:

- **To subdivide parcel #120102200000009 involving 20.18 acres into 2 tracts**

Per the findings of fact as discussed, the on-sites conducted on 11-19-18 and as shown on the certificate of survey received at the Planning & Zoning office dated 10-17-18 for property located at 37990 White Pine Trail, Crosslake, MN 56442

Conditions:

Failure to pay the park dedication fee and record a certificate of survey or a signed deed within 90 days of city council fee and subdivision approval shall void the approval of the metes and bounds subdivision unless such time is extended by a resolution of the city council prior to the expiration of the 90-day period per Chapter 44

- 1. Park dedication fee submitted to Planning & Zoning office prior to City Council meeting**
- 2. Proposed easement on the survey dated 10-17-18 to be legally recorded**

Findings: See attached

All members voting “Aye”, Motion carried.

Other Business:

1. Staff report
 - a. Monthly city council report
 - b. Development Review Team (DRT) had eight (8) November monthly meetings
 - c. December 7th one (1) special public hearing application
 - d. December 28th is the regular monthly public hearing
 - e. Kolstad was contacted about a sixty (60) unit work force housing/apartment complex, possible location between Andy's and Reed's

Open Forum:

1. Survey
 - a. Scenarios of why or why not a survey is needed
 - b. The value of a survey for the city and parcel owners
2. Research the possibility of a waiver signed by owners indicating that they take the responsibility to mark their property lines; report back to commissioners at a future public hearing
3. Island View Association controlled access lot request and how it pertains to the ordinance

Matters not on the Agenda:

1. There were no matters not on the agenda

Motion by Knippel; supported by Herzog to adjourn at 10:30 A.M.

All members voting "Aye", Motion carried.

Respectfully yours,

Cheryl Stuckmayer

Cheryl Stuckmayer
Customer Service Specialist