

**BOARD OF ADJUSTMENT/PLANNING COMMISSION
CITY OF LAKE SHORE
TELEPHONIC AT LAKE SHORE CITY HALL
MINUTES
MAY 11, 2020
9:00 AM**

Commission Members phoning in: Jim Woll, Arla Johnson, Glen Gustafson and Bob Toborg; Council Liaison John Terwilliger; City Engineer Joe Dubel; City Zoning Administrator Teri Hastings and City Clerk Patti McDonald. Absent were Gene Hagen and Alternates John Ingleman, Pat Hastings and Shawn Hansen. A quorum was present and the Commission was competent to conduct business. There was no one in the audience at City Hall.

Others present on the phone call were Bob Hendrickson, the applicant; Chad Connor and Rick Schlieman, both from WSN; and Jack Hursh, 7305 Upper Roy Lake Road, neighbor.

City Planning and Zoning Administrator Teri Hastings was present at City Hall to coordinate the telephonic conference of the May 11, 2020 Lake Shore Board of Adjustment/Planning Commission. Practicing proper social distancing present at city hall were Teri Hastings, Jim Woll and Patti McDonald.

Jim Woll called the meeting to order at 9:00 a.m. Jim went over the rules to be followed for the telephonic meeting.

Approval of the January 13, 2020 Regular Meeting Minutes – MOTION BY GLEN GUSTAFSON TO APPROVE THE MINUTES FOR THE JANUARY 13, 2020 BOARD OF ADJUSTMENT/PLANNING COMMISSION AS PRESENTED. ARLA JOHNSON SECONDED THE MOTION. ROLL CALL VOTE PASSED UNANIMOUSLY.

PUBLIC HEARING –

Preliminary Plat – Hendrickson Addition to Lake Shore – Robert Hendrickson and siblings requested approval for a preliminary plat known as Hendrickson Addition to Lake Shore consisting of six residential lots (2 lake lots and four off-lake lots). The property has approximately 20.35 acres of land. The property is described as Part of Government Lot 1, Section 4, Township 135, Range 29. The property is zoned Medium Density Residential (R-2) and Low Density Residential (R-1).

The following documents became part of the record – Notice of mailing, notice of publication, signed application and attachments and staff report. There were no written comments regarding this application. Teri had discussion with Jack Hursh and Randy Johnson, neighbors of the property on the application and they had no concerns.

Bob Hendrickson along with Rick Schlieman and Chad Connor of WSN came before the Commission to answer any questions regarding his application. Bob is one of five siblings and they are requesting to split their property into 6 lots that they would be able to sell off separately.

Jack Hursh, 7305 Upper Road Lake Road, was concerned if his drainfield was on his own property as the property pins couldn't be identified. It was confirmed that the Hursh drainfield is located on his own property.

Joe Dubel made notice that the county requested that no additional driveways from County 29 for Lot 1. Teri explained that there is already a driveway from County 29; she said this statement meant no additional entrances off of 29 since there is an existing easement. Rick answered that lots 1 & 2 will enter from Upper Roy Lake Road. Teri explained that there are purchase agreements on a few of the proposed lots contingent on the final approval of the Hendrickson Addition to Lake Shore. Rick said that they intend to grant the easements needed prior to final plat and then show it of record on final plat. Joe's driveway concerns were addressed and he had no more concerns.

Bob Hendrickson explained that another neighboring property is purchasing a piece of property that their own driveway crosses. Joe Dubel suggested they still need an easement.

Teri's staff report indicated the following: The property is described as Part of Government Lot 1, Section 4 and is approximately 20.3 acres of land. The property is zoned low density residential (R-1) and Medium Density Residential (R-2). The property owners are not proposing a zoning change.

The owners are proposing six residential lots meeting the minimum lot size requirement for their respective zoning district. The proposed lake lots are zoned Medium Density Residential (R-2) with a general development classification. The R-2 district has a minimum lot size of 30,000 square feet and buildable area of 20,000 square feet (removing bluffs and wetlands). The minimum amount of shoreline required is 100 feet. Both of the lake lots meet the minimum ordinance requirements. The off lake lots are zoned R-1 with a minimum lot size of 40,000 square feet and a minimum of 20,000 square feet of buildable area. All four off lake lots exceed these requirements.

Boundary lines, north area, scale, date of survey is shown on the preliminary plat.

An existing building is shown on Lot 1, Block 1. There is also a shed near the lot line of Lot 1 and 2, Block 1 that will be removed.

The information on the plat lists that soils are Mahtomedi Loamy sand according to the USDA web soil survey. These soils should be adequate for building and ssts systems. Prior to a permit being issued for a dwelling, soils will need to be verified according to ordinance requirements.

Each lot shows a primary and alternate on-site septic location as required. The locations are noted with the letters P and A. Each location is 30'x50'.

Vegetation limits are shown on the plat based off aerial photography.

Erosion control for the proposed development has not been addressed.

Contours are indicated on the plat and their source.

Wetlands are located and along with a building envelope for each lot. The wetlands have not been delineated however, there is adequate area on the property for building.

Lots with steep slopes have been identified. The location of steep slopes will limit construction and driveway placement.

Covenants have not been submitted by the property owner nor are any proposed.

(Items 13-17):

A satisfactory title opinion is needed (approved by the City Attorney).

An independent plat check is required for the plat (prior to signing the final plat). These documents have been received and are currently being reviewed by the city attorney.

The developer is required to pay all professional costs incurred for the development (must be paid prior to the city signing the final plat).

Darrick Anderson, Cass County Highway Engineer has been sent a copy of the preliminary plat for his review and comment. His only comment that the driveway location for Lot 1, Block 3 be off Upper Roy Lake Road versus a new driveway off of County 29.

A park dedication is required for the plat. Based on the plat, a cash payment of \$250.00 per newly created lot in lieu of land is recommended.

STAFF RECOMMENDATION

Recommend approval of the Preliminary Plat of Hendrickson Addition to Lake Shore as the proposed plat is in substantial compliance with the city zoning and subdivision ordinance. Approval contingent upon items 13-17 being completed prior to signing the final plat.

MOTION BY GLEN GUSTAFSON TO APPROVE THE PRELIMINARY PLAT OF HENDRICKSON ADDITION TO LAKE SHORE AS THE PROPOSED PLAT IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY ZONING AND SUBDIVISION ORDINANCE. APPROVAL CONTINGENT UPON ITEMS 13-17 BEING COMPLETED PRIOR TO SIGNING THE FINAL PLAT; TO INCLUDE THE EASEMENTS AS DISCUSSED WILL BE ADDED TO THE FINAL PLAT. ARLA JOHNSON SECONDED THE MOTION. ROLL CALL VOTE PASSED UNANIMOUSLY.

NEW BUSINESS – There was no new business.

OLD BUSINESS – There was no old business.

REPORTS

City Engineer – Joe Dubel had nothing additional to report.

Chairman – Jim Woll had nothing to report.

Council Liaison – John Terwilliger had nothing to report.

Zoning Administrator – Teri Hastings said the revised zoning ordinances are still moving forward. She commented that many are not renting their homes out as short-term rentals during the Pandemic. Compliance is good for those continuing to rent.

PUBLIC FORUM – There was no public forum.

MOTION BY ARLA JOHNSON TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF MAY 11, 2020 @ 9:22 AM. GLEN GUSTAFSON SECONDED THE MOTION. ROLL CALL VOTE PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk