

**BOARD OF ADJUSTMENT/PLANNING COMMISSION  
CITY OF LAKE SHORE  
CITY HALL  
MINUTES  
APRIL 13, 2015  
9:00 AM**

Chairman John Ingleman called the meeting to order at 9:00 a.m. Members of the Commission present: John Ingleman, Roger Smeby, Kevin Egan, and Alternates Pat Hastings and Glen Gustafson; Council Liaison Earl North; City Engineer Mark Hallan; City Zoning Administrator Teri Hastings and City Clerk Patti McDonald. Tom Diemert was absent. There were 5 people in the audience. A quorum was present and the Commission was competent to conduct business.

Approval of the February 9, 2015 Regular Meeting Minutes - MOTION BY KEVIN EGAN TO APPROVE THE MINUTES FOR FEBRUARY 9, 2015 BOARD OF ADJUSTMENT/PLANNING COMMISSION AS PRESENTED. ROGER SMEBY SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**PUBLIC HEARING** – There are no public hear items.

**NEW BUSINESS** –

Site Plan Review - Todd Pries is seeking a site plan review for a potential variance. The applicant would like to add onto an existing dwelling with an addition and an attached garage. The garage addition would not meet the sideyard setback and the living space addition would be less than 75 feet from the lake. The existing dwelling is less than 75 feet from the lake (67'-70') and less than 15' (5') from the side property line.

Due to the lengthy driveway, the amount of impervious surface most likely will exceed 20%. If the impervious coverage is between 20 and 25% a stormwater plan is required.

Todd Pries and Brett Jans with Timberwood Construction came before the Commission to review the project Mr. Pries would like to apply for a variance. He would like to put an addition and an attached garage out from the existing foundation of the home. Mark Hallan went to the property to verify the setbacks from the sketch that was provided.

Teri said one concern would be keeping the entire project on the property including the roof overhang. John Ingleman thought the project could be moved back to the 75' setback. Brett explained the setbacks are requested because the real problem is the elevation of the driveway and they don't want to take out the mature trees.

Kevin asked about the small out building. Todd said it's the old pump house from the resort. Will the pump house be removed? He would like to keep it for storage. They don't share a well; he will put in a new well with the project. Teri said to keep in mind the impervious surface coverage. She reminded them that they have to consider the Lake Margaret Overlay District.

Roger thought they should move the addition back to the 75' setback. That would make it closer to the driveway and would block the garage. Roger was concerned about the garage being to stories. Brett said it will be a standard garage. Roger asked what type of landscaping and

guttering plan they propose. Brett said there is a rock garden and landscaping that they would like to save. They will consider rain gardens.

Mark Hallan said the driveway slopes to the north and the sand from the driveway may settle on the neighbors septic. He said to be conscious of the site stormwater management.

John Ingleman said they have heard some of the concerns of the Commission. He is still concerned about the 75' setback. The next step will be to follow up with Stonemark for the final site plan. Teri said to keep the neighbors property in mind.

Site Plan Review – Zorbaz is seeking a site plan review for adding additional decking on the property. A site plan was not submitted and the application does not give the dimensions of the additional decking or the location of the proposed decking.

Teri supplied a copy of an older site plan from the file. The building is setback over a 100' from the lake. Impervious surface and parking are issues with this property. The property is served by city sewer.

There was no one in attendance to represent the site plan review so no action was taken.

Violation – Tree Removal Stone Ridge Townhomes – It appears that at least 12 trees were taken down along with some woody brush. Teri provided the ordinance pertaining to vegetation removal. She thinks a few of the trees may have been dead but would imagine the woody brush was in good condition. She recommends replanting and a fine for the association (amount and type should be discussed by the commission).

Robert Plagemann and Todd Friesen residents of Stone Ridge. Lukas Giaze representation for another resident at Stone Ridge.

Teri had included photos in the information distributed to the Commission; she also read an email last year indicating that she gave the authorization to remove one dead tree. There is also a note (date 11/21/08) in the property file stating there should be no more tree removal unless they are dead or diseased from the east side of the property. Stone Ridge is aware of the ordinance as they have taken out trees before. The tree violation is in blatant violation of the city ordinance.

Robert said there are a lot of snowbirds returning and they certainly don't like being in this situation. They have processes in place and intended to remove the dead tree they asked to remove; the contractor removed other trees that he thought were dead.

Kevin Egan asked who contacted the contractor. Todd Friesen said he made contact with someone that was recommended to cut down the tree (someone from the association present). After contact, there were quite a few no shows; a few weeks ago the job was completed with no one from the association present. The contractor is local and has done this type of work before. The contract was verbal. Pat Hastings asked if the trees were on Stone Ridge property; or is this DNR property. This can be verified with the DNR.

Lukas provided a diagram showing the trees that were removed. He said they would like to rectify the situation with the community. Todd said there is a lot of foot traffic and thought that is how they were made aware of the condition. They thought that they could put in some park benches for people to use. Glen asked what the yellow shaded area was on the diagram. It

represents wetland. Kevin said he was surprised that Wes didn't know better than to take trees that he wasn't supposed to take.

Roger said he hears they think this has no effect on the site view of the lake. He said it probably does and feels that they need to address a plan to replant vegetation.

Teri suggested giving Stone Ridge a chance to work with Heather Baird from the DNR to replant and make sure there is not a DNR violation. The Homeowner Association needs to take responsibility when they hire a contractor.

Earl North said they (the council) only look at the owners and association, not the contractor. He felt from what he heard that the relationship with the contractor was unbelievably casual. There should have been communication between the two.

Teri said that she would like to have them at the June 8, 2015 meeting with a plan after they have had their association meeting and met with Heather Baird. The plan should include the replacement of at least 15 trees and the woody brush.

**OLD BUSINESS** – Teri would like to invite the property owners from the Gullwood property with violations to the May meeting.

## **REPORTS**

City Engineer – Mark Hallan said Dave Reese took a call from Lost Lake Lodge regarding the possibility of hooking up to city sewer. Dave told them they are a half mile from the existing sewer and it isn't immediately available at this time. John Ingleman asked if there is capacity left. Teri said it would have to be looked into further. Lost Lake Lodge intends to come before the board with a master plan. Lost Lake Lodge still hasn't provided the bluff determination to Teri. Earl asked if we will get updated impervious surface calculations. Teri will require their surveyor to provide the calculations.

Chairman – John Ingleman had nothing to report.

Council Liaison – Earl North had nothing to report.

Zoning Administrator – Teri Hastings had nothing more to report.

**PUBLIC FORUM** – There was no public forum.

**MOTION BY PAT HASTINGS TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF APRIL 13, 2015 @ 9:58 AM. ROGER SMEBY SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.**

Transcribed by Patti McDonald  
Lake Shore City Clerk