

**BOARD OF ADJUSTMENT/PLANNING COMMISSION
CITY OF LAKE SHORE
CITY HALL
MINUTES
JANUARY 11, 2016
9:00 AM**

Chairman John Ingleman called the meeting to order at 9:00 a.m. Members of the Commission present: John Ingleman, Kevin Egan, Tom Diemert and Glen Gustafson; Alternate Pat Hastings; Council Liaison Earl North; City Engineer Mark Hallan; City Zoning Administrator Teri Hastings and City Clerk Patti McDonald. Roger Smeby and Alternate Wayne Anderson were absent. There was no one in the audience. A quorum was present and the Commission was competent to conduct business.

Election of Officers – Teri said typically nominations are made for the Chair and Vice-Chair positions.

KEVIN EGAN NOMINATED JOHN INGLEMAN FOR THE CHAIR POSITION AND ROGER SMEBY TO THE VICE CHAIR POSITION. GLEN GUSTAFSON SECONDED THE NOMINATION. MOTION PASSED UNANIMOUSLY.

Approval of the October 12, 2015 Regular Meeting Minutes – MOTION BY KEVIN EGAN TO APPROVE THE MINUTES FOR OCTOBER 12, 2015 BOARD OF ADJUSTMENT/PLANNING COMMISSION AS PRESENTED. TOM DIEMERT SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING –

Ordinance Amendment – Corrections – The ordinance amendment is corrections to certain portions of the land use ordinance. The new codified ordinance references old portions of the ordinance and this amendment corrects these references. The content of the ordinance hasn't changed. Tom Diemert questioned section 40.6.2.1 and the use of the term footprint. Pat Hastings asked if 'footprint' is defined in the ordinance. Teri read the definition of 'footprint'.

MOTION BY GLEN GUSTAFSON TO RECOMMEND TO THE LAKE SHORE CITY COUNCIL TO ADOPT THE AMENDMENTS TO ORDINANCE 2016-01, FIRST SERIES, AN ORDINANCE AMENDING THE CITY CODE AS IT RELATES TO THE LAND USE AND SUBDIVISION ORDINANCE OF THE CITY OF LAKE SHORE AS PRESENTED. TOM DIEMERT SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

NEW BUSINESS –

Lot Split – Martha Murrey-Teagels – The applicant is applying for a lot split. The property contains 12 acres of land and approximately 400 feet of shoreline on Agate Lake. The property has two zoning classifications due to the depth of the property. The property is zoned Low Density Residential, R-1 (lot size of 40,000 square feet) and Medium Density Residential, R-2 which has a minimum lot size of 40,000 square feet for a Recreational Development Lake (Agate Lake). A minimum of 20,000 square feet is required to be buildable area for the R-2 district. There is a wetland located on the lakeside of Tract B which has been delineated by Ben Meister (certification number 1031). The approximate size of the wetland is 1.75 acres. The total area for Tract B is 4.3 acres with a buildable area of 2.55 acres. Tract B has a lot width nearly 400 feet. A

lot width of 150 feet is required. Tract A has a lot area of 8.4 acres and a buildable area of 6.3 acres which exceeds the minimum areas needed for the R-1 district.

The building envelope is shown for both tracts. Tract B has been improved with a home, shed, and pole building. Impervious surface has been calculated for Tract B. The amount of impervious surface is at 10.2%. There are no improvements on Tract A.

There is an easement proposed for access to Tract B which is the existing driveway. The easement is 33' wide.

The survey does have a licensed surveyor's signature and contains the legal description of Tract A and Tract B along with the description for the easement.

The wetland area has been identified and there are no bluffs on the property. The property is fairly level and contours were not required.

The property is served by onsite septic system. There is a septic system located on Tract B. A compliance inspection was done in 2007. Soil borings were done for the compliance inspection. Based on adjacent properties and soil borings, Tract A should have adequate soils to support an ISTS.

Monuments have been placed on the property corners.

STAFF RECOMMENDATION

Recommend approval of the lot split as it meets the minimum requirements of the subdivision ordinance for the R-1/ R-2 zoning district for a recreational development lake.

John Ingleman asked if the road went down to the next property. Teri said it does; however, it was used because the two owners were related. There will be no easement connected to the property following the lot split.

Kevin Egan asked if this split is because of the development of the golf course. Teri didn't believe so.

Tom Diemert asked for clarification of how wide the lot is. It is 404 feet across.

There were no concerns from the city engineer.

MOTION BY PAT HASTINGS TO APPROVE THE LOT SPLIT AS PRESENTED AT 9342 AGATE LAKE ROAD AS IT MEETS THE ORDINANCE REQUIREMENTS. KEVIN EGAN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

OLD BUSINESS – There was no old business.

REPORTS

City Engineer – Mark Hallan commented the city is moving ahead with the lift station rebuilds.

Chairman – John Ingleman had nothing to report.

Council Liaison – Earl North had nothing to report.

Zoning Administrator – Teri Hastings said there is a re-zoning request for the February meeting. The applicant is requesting to be rezoned from wooded residential to commercial.

Teri asked how many people would be gone for the March meeting. Tom Diemert and John Ingleman so far.

There hasn't been any action with Mr. Friesen at Stone Ridge; she will keep the Commission updated.

PUBLIC FORUM – There was no public forum.

MOTION BY TOM DIEMERT TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF JANUARY 11, 2016 @ 9:21 AM. GLEN GUSTAFSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk