

**MINUTES**  
**PEQUOT LAKES PLANNING COMMISSION**  
**REGULAR MONTHLY MEETING**  
**MARCH 20, 2014**

PRESENT: Deb Brown, Todd Engels, Bill Habein, Mark Hallan, James Oraskovich and Wesley Wilson. ABSENT: Cheri Seils.

CITY PLANNER: Justin Burslie, Community Growth Institute

ZONING ADMINISTRATOR: Dawn Bittner

COUNCIL LIAISON: Scott Pederson

**Pre-Meeting Discussion –  
Downtown Plan**

Mr. Burslie explained the North Washington Avenue improvement plan has been submitted to the City Council and is out for bids. He pointed out the sample street lights, crosswalks, seating and streetscape amenities handout.

Council Member Pederson explained the estimate for each street light is approximately \$5,000. North Washington is only part of the Downtown Plan and there needs to be continuity with other areas of the downtown for placement and style of lightings, seating, etc. The Planning Commission could send a recommendation to the City Council.

Mr. Burslie explained that seating should be placed where there is a need. North Washington Avenue is approximately 50% developed on the east side. The Downtown Mixed Use zone has smaller lots, so only about 20% is actually developed. We need to develop the form of what we want future streets to look like.

Council Member Pederson stated that this is our entry into town. Bump-outs are inviting and slow down traffic.

Planning Commission Member Habein would recommend lighting in the center of blocks as well as on the corners. Planning Commission Member Brown stated North Washington will be a showcase for other streets and activity at night is important necessitating street lighting. Mr. Burslie stated the lights should be decorative and that the bump-out areas can also have benches with lights.

Council Member Pederson stated that snow removal is an issue for the benches. Planning Commission Member Habein asked if the benches could be removed in the fall.

Council Member Pederson stated he would like an indication for the location of the benches and street lights.

Planning Commission Member Wilson stated the pedestrian street lights could be LED, but the decorative Christmas lights run off 110.

Planning Commission Member Habein stated the improvements may force people on the west side into a commercial situation. Council Member Pederson stated that at some point the housing may be redeveloped.

Planning Commission Member Oraskovich stated lighting needs to be installed on the corners as well as the middle of the block. He further stated the City should look at LED as an option. Planning Commission Member Wilson volunteered to look into LED options; Christmas lighting is important but the LED's are more economical.

It was the consensus of the Planning Commission that lighting and seating are important. Mr. Burslie stated a table could be included with the lighting and seating; a bump-out would be the place to do that. Council Member Pederson stated there is right-of-way on the west side that includes trees and wondered if there would be room for a bench. Planning Commission Member Habein stated seating can be built around a tree.

Planning Commission Member Habein stated with the North Washington Avenue improvements, Oriole Street will be the next development area. Planning Commission Member Brown stated County Road 112 also needs sidewalks.

Mr. Burslie stated that mid-street seating on the west side is a good idea and could be more inviting with pavers. Planning Commission Member Habein reminded everyone that it is important to have pervious areas under seating that is placed around trees.

Council Member Pederson stated street art has been talked about since the original Downtown Plan. Bike racks that double as art is a good idea. Crosswalks between the bump-outs could be pressed asphalt.

Mr. Burslie stated planters included on the streetscape amenities are appealing but could be a maintenance issue. A clock would look nice, but could be expensive. A kiosk or information center could include maps or listing of events. A pedestrian canopy

would provide a shaded area on the bump-outs. Trash cans and bike racks are important.

Council Member Pederson stated stamped poetry is being added to the sidewalks on North Washington. This adds character to an area and is planned to be used whenever new concrete is installed.

The following was the consensus of the Planning Commission:

- Bump-out areas – seating with some type of table looks nice;
- Stamped crosswalk between bump-outs;
- Decorative street lighting, pedestrian scaled and downward directional, similar to examples #3 & #4 on the corners and maybe 2 or 4 per side, eventually 4 to 6 per side; now recommending 3 per side;
- Patio area on the west side of the street near the Norway trees;
- Bike racks on the Jake Pine corner;
- Lighting in the retaining wall on the east side.

Council Member Pederson stated the street lights can be used for banners, flower pots and decorations. Planning Commission Member Engels stated the Pequot Lakes Bobber should be used more often.

Mr. Burslie explained the City needs to develop a way to get people off of the Trail and into the City. There has never been a lot done to draw people away from the Trail. A bike path needs to be developed from the Trail to Sibley Park. Either paint or zebra bumps can designate the trail. There could be two lanes of bike traffic on West Sibley Street. Paint could be used to get started, but could intensify the separation with zebra bumps. Signage could be used in the beginning, but you need to separate bike and vehicle traffic. Some type of buffer is necessary.

Sibley Park is beautiful and underutilized. The City plans to invest in new stairs, etc.

Mr. Burslie explained the Street Criteria Committee developed a Multi-Modal designation for streets. Next month this will be added to the map.

Council Member Pederson stated the Economic Development Committee is developing a Marketing Plan to promote the City that is going out to groups including the school, inquiring what is unique about our City. He asked the Planning Commission Members to think about how they would define what is unique; it is important to hear from the Planning Commission as they put in a lot of time for the City.

Vice-Chair Brown called the meeting to order at 7:02 p.m. and opened the Public Hearing.

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**APPLICANT: Wilderness Resort Villas, LLC**

**Applicant requests an Amendment to Conditional Use Permit to allow a 3-story lodge, expand existing beach area, create an additional beach, relocate a boat ramp and allow motorized traffic on walking trail.**

Applicant was present, Tom Steffens. Mr. Burslie explained this is the third Public Hearing and is not going to read the application background again. Last month there was considerable discussion and Staff was asked to rework the Findings of Fact and draft Conditions; the changes made are identified in red. He read the proposed Findings of Fact.

Mr. Burslie further stated the applicant submitted an updated site plan, the colored drawing in the packet. At the last meeting the Planning Commission discussed allowing golf carts to access dock system #1 only, with a walking trail only to dock systems #2 & #3. The applicant has submitted different documentation to access the other docking systems on the plan.

Mr. Steffens explained there was a lot of discussion at the last meeting regarding the golf carts and where they could be. The plan submitted is for no traffic beyond the places indicated. There were only a few Planning Commission members at the last meeting. Many things were discussed. He stated he wants to minimize motorized vehicle traffic on the property. He wants to encourage guests to walk or use golf carts for transportation for the handicapped, children, coolers, etc. Golf carts would make it easy for guest traffic. Cart parking areas would not be visible from the lake.

Mr. Steffens further stated that he had made a determination to reduce the size of the building; they are now proposing to build a 2-story lodge building. For aesthetic purposes and appearance, a 2-story building is a better solution. They are reducing the height to 17' 7" high. This will make the resort more viable and it will be good for the resort and for the City.

Mr. Burslie noted that this is new information being submitted tonight. Mr. Steffens acknowledged that is was. Mr. Burslie further stated that the layout will be approved as part of the platting process. An application needs to be amended in a timely fashion. The height being requested tonight is now 17' 7 1/4".

**Public Comment:**

Ann Beaver, President of Cullen Lakes Association – Reducing the height of the lodge took the wind out of her sails and agrees with Mr. Steffens regarding aesthetics, etc. The concerns of the Lake Association remain the same as the January meeting and included in the February packets. Regarding the boat ramp, they feel it's important when it is

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relocated that the current site be re-vegetated and a berm created to stop runoff into the lake. If and when the new boat ramp is approved, require a design that will prevent runoff from the slope of the ramp directly into the lake. The Lake Association strongly oppose the creation of the second beach on the east side of the point. She passed out photographs. Pictures from 2003 are of the camp sites that are vegetated from the lake. The 2005 photos indicate shoreline vegetation slashed during the winter in the area of the proposed second beach. A defining tree cluster has been circled in these photos indicating the same area. Another photo indicates beach illegally created and ice ridge removed in 2008. In 2010 the City required re-vegetation and the photo indicates improvement. If the second beach is not allowed, require reestablishment of the ice ridge/berm of shoreline. It will protect Middle Cullen from runoff.

The picnic area north of dock system #2, prohibit removal of natural vegetation within 3 to 5 feet of the bulrushes. She further submitted pictures indicating how visible a 3-story lodge would be. When new buildings are built, trees need to be removed. Most of the year in Minnesota there are no leaves on trees. She was happy to hear applicant is proposing a lower profile for the lodge.

Regarding #23 of the Staff recommendations, if a vegetation screening plan is required, require an implementation schedule and deadlines for it to take place. Some screening and vegetation plans from the past have yet to be executed.

Tom Beaver, resident of Lower Cullen – presented a memo from Paul Reichenbach in which he wondered why this type of application comes up in the winter when members of the Lake Association are unable to attend. When the cabins were moved down, trees were cut and stumps removed about 10 steps to a wetland. He is against the beach area; people are swimming and bathing there. If a picnic area is approved, make signage so ice ridge isn't damaged and no volley ball in wetland area. Numerous truckloads of sand have been dumped onto beach.

Mr. Beaver suggested a committee be formed to meet to keep an eye on activities: lake association member, Planning Commission Member, Staff. He suggested requiring a bond and to check on the bonding process.

Tom McGraw, Middle Cullen Lake – questioned whether or not the lodge would be sprinkled or an elevator be required. Mr. Burslie explained the City does not enforce the State Building Code; it would be up to the property owner and his insurance company.

Mr. McGraw then asked when the next meeting would be to remove cabins. Planning Commission Member Hallan stated there is a current approved plat that can be developed. The existing cabins would be removed and the lot would be built on for the current plat. Mr. McGraw asked if the footprint can be changed. Planning Commission

Member Hallan stated there is a current approved plat and if a new plat is approved, there could be changes. Mr. Burslie explained certain densities are allowed and the applicant would need to come back in to change the configuration of the lots and go through the public hearing process. Planning Commission Member Hallan stated there is currently an approved plat that the applicant is allowed to remove the cabins and build larger structures. Mr. Burslie explained this is the Conditional Use Permit; the applicant will need to come in for a Condominium Plat. The application for the Condominium Plat has not been submitted. This application is for the lodge, second beach, existing beach expansion, etc.

Sue Stevens, Grandmother was one of first residents on the lake – this application would be good for Gull Lake, Mille Lacs Lake, the North Shore, but not for a very small lake like Middle Cullen.

Debbie Pearo, Middle Cullen Lake – Golf carts should not be necessary for a resort this size.

Mr. Burslie explained Wilderness Resort is private property and they are allowed to have golf carts; the City can designate where parking and paths or roads along the shoreline can be.

Vice-Chair Brown stated the City had received a letter from Joel and Shelly Thordson regarding tonight's meeting and made it a part of the record.

Public comment closed.

Mr. Burslie explained the City has 60 days to make a decision on an application. If a decision has not been made, the City can extend it another 60 days with a letter explaining why it is extended. Next month's meeting would be beyond that extension. If no decision is made tonight, one option would be to schedule a special meeting before the time is up or have the applicant waive the 60-day rule.

Mr. Burslie stated Staff recommends approval of the amended Conditional Use Permit with 26 conditions, 25 listed in Staff Report and he has one additional to add. Each condition should be discussed.

The Lodge:

#3. In order to preserve the character of the neighborhood and the surrounding area, the height of the lodge may not exceed 18 feet.

ADD #4. First floor elevation will match existing grade within +/- 1.5 feet.

Planning Commission Member Engels stated there appears to be 11 live trees in the area where the lodge is to be built. Mr. Steffens stated they are not losing one pine tree. Planning Commission Member Engels stated there are Norway and white pines over by the LP tank. Mr. Steffens stated they will shove the building to the north to miss those trees. Planning Commission Member Hallan stated as it was included in last month's Minutes, this is a commercial property and trees are going to be cut down. As they replat, they will try to save trees.

#### The Docking Systems:

All 3 systems were approved by the DNR and the City 5 years ago. Number 5 will be stricken.

#### Beach Areas:

When asked, Mr. Burslie stated that the road does not act as a barrier for runoff; an ice ridge would do that. Planning Commission Member Habein stated that a trail or roadway could be a barrier if built up properly.

Planning Commission Member Hallan stated the path toward dock system #1, there appears to be a retention pond north of the path; the path could be raised to be a berm, developed as a natural feature on the landward side of it. The runoff from the lodge would not be crossing the path. Mr. Burslie stated that section is in the bluff; the stormwater management plan will indicate how the stormwater will be handled.

Planning Commission Member Habein asked if the beach on the east side was legal. He was told it was not.

Planning Commission Member Oraskovich stated he is not in favor of the second beach, reiterating the DNR comments regarding removal of the second beach. Planning Commission Member Wilson concurred.

Planning Commission Member Brown stated she agrees to extending the existing beach, but not to allow the second beach. Planning Commission Member Engels concurred.

Planning Commission Member Habein stated the City should try to get a little closer to what is allowed by the DNR. If Mr. Steffens has 2600 feet of shoreline, is he allowed to improve 25%? Mr. Burslie stated that "improve" is not in the ordinance. He is required to have 75% screening and allowed to move 50 cubic yards of material. He is over that with the existing beach.

Mr. Steffens stated the existing beach is 80, 90 or 100 feet deep. The drawing is incorrect.

Mr. Burslie stated Finding of Fact No. 8 shall state 100 feet wide and 150 feet long.

Planning Commission Member Hallan stated that last month the Planning Commission was in favor of expanding the existing beach from the boathouse to the boat ramp and in favor of a beach area 100 feet on the south side of dock system #2.

Vice-Chair Brown stated the majority in attendance tonight would like to see the primary beach expanded and the second beach not allowed.

Council Member Pederson stated that Condition #13 needs to be changed from 25 feet landward. Planning Commission Member Hallan stated that based on the submitted drawing using the gauge on the side, the beach can't exceed 50 to 60 feet back.

Strike Conditions #15 & #16.

Condition #7 change to 165 feet.

Condition #14, Picnic Area – Planning Commission Member Hallan asked why there were quotes around picnic area. Mr. Burslie stated that is how it was included in the applicant's submittal. The picnic area is misidentified on the site plan. The submittal states picnic area and the site plan says beach.

Add as Condition #15: Any natural ice ridge that forms in picnic area shall not be altered.

Relocation of Boat Ramp –

Add as new Condition #18: Stormwater runoff shall be diverted away from the lake. Surface runoff at turnaround area and landward shall be diverted to stormwater features and not allowed to run directly down into the lake.

Road in the Shore Impact Zone:

Golf carts are motorized vehicles. Planning Commission Member Oraskovich asked if the path should be narrowed from 8 feet. Planning Commission Member Hallan stated the path in the bluff areas don't need to be 8 feet. Signage and barriers will prohibit golf cart traffic. Maintenance vehicles would need to remove the barrier.

Mr. Burslie pointed out the Findings of Fact and Conditions don't reflect golf cart access to dock systems #2 & #3. Vice-Chair Brown asked if golf carts should be allowed for elderly, children and disabled; the Minutes state only dock system #1. Planning Commission Member Hallan stated in order to make conditions reasonably enforceable, designate areas outside of environmentally sensitive areas. Planning Commission Member Habein stated it is ridiculous to create conditions that are going to be violated.

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Planning Commission Member Engels stated dock system #1 will have parking area for golf carts; dock system #3 no parking area because of the slope or grade. Planning Commission Member Wilson stated a parking area is necessary for access to dock systems #2 & #3; no traffic around the point. Planning Commission Member Oraskovich stated a barrier should be placed by dock system #1 and a second parking area should be placed between dock system #2 & dock system #3.

Condition #20 shall be changed to: Patrons of the resort shall not be allowed to use motorized vehicles (including golf carts) beyond barriers at the south end of the two designated parking areas.

Condition #19 – strike it.

Overall Site Conditions to Consider:

Add #26: Re-vegetate beach area on the east side of the point, restoring it to its natural state.

Planning Commission Member Hallan asked when the wastewater system will be installed. Mr. Steffens stated he is replatting the entire property. There will be new engineering plans as part of the plat. A portion of the system has to be built when the lodge is built.

Mr. Burslie stated before a motion is made, some Findings of Fact need to be amended.  
No. 1: Change to not exceed 18 feet.

No. 8: Change to 150 feet in length and 100 feet wide.

No. 12: Keep it.

No. 19. The “up north” character (as referenced in the Comprehensive Plan) of the subject property and surrounding area will be protected by limiting the use of motorized vehicles to certain areas of the property.

Mr. Steffens stated the Homeowners Association directed him to get a second beach and he asked that this be tabled to another meeting. He further stated he will consent to extending the 120 day period.

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Oraskovich, to approve the Conditional Use Permit with the changes made, including Staff recommendation that conditions of approval from the

original CUP application remain part of the permit, based on the following Findings of Fact:

The Lodge:

1. The proposed lodge has a footprint of 7,255 square feet. It contains sixteen units and is two stories. The proposed height of the lodge does not exceed 18 feet.
2. The lodge building will be subdivided by a condominium plat in the future. The applicant has not submitted a condominium plat for the proposed structure.
3. The existing maintenance building and lodge on the subject property will be replaced with the proposed lodge. The proposed structure is completely within Tier II (200'+ from the OHW) of the Shoreland Area.
4. The lodge exterior will consist of half log siding with stone trim and decorative log corners.
5. The parking area for the lodge is located northwest of the proposed location and contains 40 spaces. There will also be three handicap designated parking spaces and a delivery area directly east of the proposed structure.

The Docking Systems:

6. There are not any proposed changes to the number and/or location of the previously approved docking systems at this time.
7. Relocation of the docking system(s) requires approval from the City.

Beach Areas:

8. The existing beach area is located on the west side of the point and is approximately 100 feet wide. The applicant is proposing to extend the width of the existing beach area to 150' in length and 100' wide.
9. The applicant is proposing to construct a second beach area located on the east side of the point. The proposed beach area is 150' wide.
10. Removal of aquatic vegetation is necessary for the creation/expansion of the beach areas. The City does not have jurisdiction on any work performed below the OHW.
11. The City Code does not allow grading in excess of 50 cubic yards in the Shore Impact Zone.
12. Centralization of the beach area will reduce adverse impacts (unfiltered runoff, erosion, etc.) to the shoreline and the lake.
13. The distance between the location of the proposed boat ramp and the existing boat house is approximately 165'.

Relocation of Boat Ramp:

14. The applicant is proposing to relocate the existing boat ramp to the north side of the existing beach and swimming area.
15. Relocation of the ramp will require removal of approximately 10-20 feet of aquatic vegetation on the north side of the beach to allow for installation of the boat launch.
16. Relocation of the existing boat ramp may require a permit from the Minnesota Department of Natural Resources.

Road in the Shore Impact Zone:

17. The original CUP approval for the subject property allows an 8-foot wide walking trail to be used to access "Dock System 2" and "Dock System 3." The permit does not allow automobile traffic on the trail. It also requires the trail to be constructed of pervious materials.

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18. As of August 2013, the road in the bluff and shoreline setback had not been removed as per previous CUP approval.
19. The “up north” character (as referenced in the Comprehensive Plan) of the subject property and surrounding area will be protected by limiting the use of motorized vehicles to certain areas of the property.
20. The applicant is proposing to utilize “golf cart parking” areas outside of the shore impact zones and bluff impact zones.

And subject to the following Conditions:

The Lodge:

1. Before commencement of construction activities, a condominium plat for the lodge shall be approved by the City.
2. An acceptable updated plan for the vegetative screening of the lodge (as viewed from the lake) shall be submitted to the Planning Commission before it may be constructed.
3. In order to preserve the character of the neighborhood and the surrounding area, the height of the lodge may not exceed 18 feet.
4. The first floor elevation will match existing grade within +/- 1.5 feet.

The Docking Systems:

5. The number and location of docking systems shall remain the same as previously approved.

Beach Areas:

6. The applicant shall demonstrate with a professional grading and drainage plan how untreated runoff will be prevented from entering the lake via the proposed beach area(s).
7. In order to minimize negative impacts on Middle Cullen Lake, one centralized beach area shall be allowed on the subject property. The existing beach may be expanded to 165' in width.
8. Grading in the vicinity of the beach area(s) shall include the use of berms, swales and natural vegetation near the beach areas.
9. Necessary permits shall be obtained from the DNR for the removal of any aquatic vegetation for the expansion of the beach areas.
10. In order to maintain the “up north” character referenced in the Comprehensive Plan and to protect the shoreline and Middle Cullen Lake, the resort may have one centralized beach area.
11. A beach area shall not be allowed on the east side of the point.
12. The existing beach area may be expanded to the length of the shoreline between the proposed boat ramp location and the west corner of the existing boat house.
13. The centralized beach area may not exceed existing width (landward).
14. A 1,920 sq. ft. “picnic area” shall be allowed to be located directly north of the location of “Dock System #2.” (Site plan date dated 3/7/14). This area may not contain any impervious surfaces or permanent structures.
15. Any natural ice ridge that forms in picnic area shall not be altered.

Relocation of the boat ramp:

16. Proper permits shall be obtained from DNR before the boat ramp may be relocated.

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17. Stormwater runoff shall be diverted away from the lake. Surface runoff at turnaround area and landward shall be diverted to stormwater features and not allowed to run directly down into the lake.

Road in the Shore Impact Zone:

18. To preserve the natural character of the neighborhood and surrounding area, the road in the bluff and shoreline setback shall be removed and re-vegetated. An 8-foot wide walking trail may replace the road; the walking trail shall be constructed with pervious materials.
19. Patrons of the resort shall not be allowed to use motorized vehicles (including golf carts) beyond barriers at the south end of the two designated parking areas (identified on the site plan dated 3/7/14).
20. Signage and barriers (acceptable to the Planning Commission) shall be placed in areas around the resort to prevent resort guests from using motorized vehicles on the walking trails.
21. Maintenance personnel may utilize the entire path system with motorized equipment and vehicles for maintenance purposes including but not limited to installation, repair and removal of docking systems, non-motorized watercraft, beach chairs, etc. and motorized equipment for maintenance and repair of the pathway and surrounding vegetation, including permitted trimming and removal of deadfall and invasive plant species

Overall Site Conditions to Consider:

22. A vegetation/screening plan for the entire property acceptable to the Planning Commission shall be submitted before construction activities commence.
23. A lighting plan for the entire property acceptable to the City shall be submitted before construction activities commence.
24. An updated professional stormwater management plan for the entire property including the proposed additional impervious surfaces (lodge, courts, automobile parking, golf cart parking, etc.) shall be submitted during the platting process.
25. The beach area on the east side of the point shall be re-vegetated and restored to its natural state.

Planning Commission Member Hallan stated the applicant has the right to appeal; the appeal would go to the City Council.

Planning Commission Member Wilson explained to Mr. Steffens that he tried to look at all sides, but personally would never go for a second beach.

Mr. Steffens stated he also has been trying to do a balancing act and do what is right. The beach has been an issue for several years; the homeowners are within their rights under the ordinance to improve the property. It warrants further investigation for a health issue and safety concerns; none of those points have been addressed. The bulrushes are being looked at; there are many bulrushes around the property. Those are the concerns of the Lake Association. He is trying to run a resort and accommodate guests; that is not being given due consideration. He thinks golf carts are great, the

lodge is great and now people are going to swim all over the property. There are too many people to sit on a postage stamp beach. That is why he wanted to table it.

Vice-Chair Brown stated the beach was significantly increased.

Planning Commission Member Habein stated he does not agree that the resort can operate with a 165 foot beach. If we look at the scope and potential of this operation, he is going to need more beach area and we should recognize it. We are restricting the beach to much less than he is entitled to. We should consider the environment and business potential; we need both. This is not striking a happy medium.

ROLL CALL VOTE: Deb Brown: Aye; Todd Engels: Aye; Bill Habein: Nay; Mark Hallan: Aye; James Oraskovich: Aye; Wesley Wilson: Aye. Motion Carried 5 – 1.

**ADDITIONS OR DELETIONS TO AGENDA:** None.

**OPEN FORUM:** None.

**NEW BUSINESS:**

**a. SSTS Inspection Program:**

Mr. Burslie explained the City Council has directed Staff to explore the possibility of implementing a Subsurface Sewage Treatment System Inspection Program. An Inspector would provide multiple inspections for a bulk rate. The City may want to go out for RFP's. The City of Emily negotiated a bulk rate of \$48 per inspection. In addition to the inspection fee, the tanks would need to be pumped with an additional cost of \$130 to \$180 per inspection.

Staff will develop a policy for the SSTS Inspection Program and forward to the City Attorney.

**OLD BUSINESS:**

**a. Accessory Structure Height, Jim Byrne**

Vice-Chair Brown explained Mr. Byrne was unable to attend the meeting. Staff informed the Planning Commission that Mr. Byrne will be working out of state in April also and that he is not sure when he will be able to attend.

Planning Commission Member Hallan corrected the date on page 8 (a); the correct date should be November 3, 2013. Planning Commission Member Hallan further stated he

observed patio doors on the garage, not a garage door as indicated on the elevation drawing.

Planning Commission Member Oraskovich asked if Mr. Byrne could be fined for not following the ordinance. If a fine were imposed it would need to cover the considerable time spent by Staff processing this.

Mr. Burslie explained Mr. Byrne had been informed to lower the height of the building or apply for an after-the-fact Variance.

Staff was directed to place Mr. Byrne on the Violation List and to request a site visit by Staff and Mr. Burslie to determine how the building is being used.

#### **APPROVAL OF MINUTES:**

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Habein, to approve the February 20, 2014 Minutes, as read. All members voted "aye". Motion carried.

#### **ZONING ADMINISTRATOR'S REPORT:**

Bittner pointed out that there were no Land Use Permits issued in February; there were 2 letters sent.

The following Potential Violation/Enforcement Actions were discussed.

1. Virgil Dahl - Staff informed the Planning Commission that Mr. Dahl did not sign the Consent Form. After the snow melts Staff will take new pictures and forward to the City Attorney. One of the mobile homes has been removed.

#### **ADJOURNMENT:**

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Habein, to adjourn the meeting. All members voted "aye". Motion carried. The meeting was adjourned at 9:51 p.m.

Respectfully submitted,

Dawn Bittner  
Zoning Administrator