

**MINUTES
PEQUOT LAKES PLANNING COMMISSION
BOARD OF ADJUSTMENT
REGULAR MEETING
JUNE 18, 2020**

PRESENT: Chair Andrew Birch; Commissioners Tom Paulbeck; and Wes Wilson virtually via Zoom; Mark Hallan, in person at City Hall. ABSENT: Commissioners Laura Larson and Nathan Norton

CITY PLANNER: Justin Burslie, Sourcewell, virtually via Zoom

ZONING SPECIALIST: Dawn Bittner, in person at City Hall

ADMINISTRATIVE ASSISTANT: Jennifer Peterson, in person at City Hall

COUNCIL LIAISON: Scott Pederson (Absent)

1. Call Meeting to Order

Chair Birch called the meeting to order at 6:00 PM.

2. Consider Agenda

Bittner added 5.2 Heart of the Good Life Development – Street Name

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Paulbeck, to accept the Agenda as amended.

Roll Call Vote: Birch - AYE; Hallan - AYE; Paulbeck – AYE; and Wilson - AYE. Motion carried.

3. Public Hearing

3.1 Gene and Jean Torgerson

Applicants request a Variance to Construct an Accessory Structure within the setback to State Highway 371.

Mr. Burslie explained the Staff Report. Applicants were present virtually via Zoom.

Mr. Burslie asked what the structure will be used for. Mrs. Torgerson stated they looked into smaller prefab storage units and found this to be a more aesthetically pleasing structure to store their mower and other miscellaneous items from the lake. Chair Birch inquired about the consequences of the Torgerson's using the structure for additional living quarters. Mr. Burslie stated that Ms. Bittner would send a letter and the

Torgerson's would have to come into compliance. Mrs. Torgerson stated they would not be using the structure for anything but storage; the loft area in the structure is just high enough to store items on, not sleeping quarters.

Commissioner Hallan inquired if the structure is prewired and if the applicants are going to run power to it. Mrs. Torgerson stated it is pre-wired and possibly in the future they would run power to it, just to have lighting in the structure. Commissioner Hallan had concerns about the structure being placed above the current underground power lines and their contractor would move the structure from the proposed location. Mrs. Torgerson stated that the contractor is aware of where the electrical lines run; they are currently marked and the contractor will place the structure exactly where specified.

PUBLIC COMMENT OPENED:
There were no public comments.

PUBLIC COMMENT CLOSED.

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Paulbeck, to approve the Variance request, subject to the following Findings of Fact:

1. The subject property is located at 27748 West Twin Lake Drive and is in the "Shoreline Residential" zone.
2. The property contains a 1,092 square foot dwelling.
3. The applicant proposes to place a 9' X 16' accessory structure 12 feet from the east property line, State Highway 371 right-of-way line.
4. The proposed accessory structure is less than the maximum height allowed for an accessory structure in the Shoreline Residential zone.
5. The proposed accessory structure includes a loft area for storage purposes.
6. The subject property is served by a deep well and compliant septic system.
7. The applicant has established that there are practical difficulties in complying with the Code. The building envelope is small due to the setbacks from the OHW of West Twin Lake and West Twin Lake Drive and State Highway 371. Moving the proposed accessory structure to the west would require removal of several trees.
8. The property owner proposes to use the property in a reasonable manner.
9. The deviation from the Code will still be in harmony with the general purposes and intent of the City Code and Comprehensive Plan.
10. The variance will not create a land use not permitted in the Shoreline Residential zone.
11. The variance will not alter the essential character of the locality as the neighboring cabins and homes utilize detached garages and accessory structures.
12. The variance has not been made based on economic considerations.

And subject to the following Conditions:

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1. Existing trees and vegetation between the dwelling and the OHW shall remain in a live state to provide screening as viewed from the lake. In the event the existing trees and vegetation dies or is damaged by a natural event, additional trees and vegetation shall be planted to provide screening as viewed from the lake.
2. The loft area of the structure may only be utilized as an open area or storage space.
3. The structure shall not be modified in the future to contain habitable space.

Roll Call Vote: Birch - AYE; Hallan - AYE; Paulbeck – AYE; and Wilson - AYE. Motion carried.

4. **Open Forum** – None.

5. **New Business** – None.

5.1 Planning Commission Vacancy

Bittner explained Christopher Savino had verbally resigned to Chair Birch. The City Administrator has begun the process to advertise the vacancy and wondered if the Planning Commission Members had any candidates in mind to fill the position.

5.2 Heart of the Good Life Development – Street Name

Bittner reported the City is moving forward with the Preliminary Plat for the development south of Derksen Road. There will be a new City street as part of the plat and asked the Planning Commission to email suggested names to her by June 25. Suggestions will go to the City Council at their July 7 meeting.

6. Old Business

Commissioner Hallan stated the Extractive Use Permit applicants have obtained the correct Industrial Activity Permit from the State and that he has reviewed same. Ms. Bittner stated she received the Performance Bond and will be in contact with the applicants that they have met their submittal approval.

Chair Birch noted he is very pleased that the City followed the Street Standards developed earlier in the design of the Rasmussen Road and South Washington Avenue street improvements. The project is almost complete and has slowed traffic down and looks great.

7. Approval of Minutes

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Paulbeck, to approve the May 21, 2020 Minutes.

Roll Call Vote: Birch - AYE; Hallan - AYE; Paulbeck – AYE; and Wilson - AYE. Motion carried.

8. P & Z Administrator's Report

8.1 Permits and Correspondence

Bittner pointed out the 10 permits issued in May and 3 letters sent since the last meeting. The graph had been included to demonstrate activity had not been reduced as a result of the pandemic.

8.2 Potential Violations/Enforcement Actions

The following violations were discussed: None.

9. Adjournment

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Wilson, to adjourn the meeting. The meeting was adjourned at 6:28 PM.

Respectfully submitted,

Jennifer Peterson
Administrative Assistant