

**MINUTES
PEQUOT LAKES PLANNING COMMISSION/
BOARD OF ADJUSTMENT
REGULAR MEETING
APRIL 24, 2023**

PRESENT: Chair L. Larson; Planning Commission Members Gonczy, Johnson, and E. Larson, ABSENT: Planning Commission Members Norton, Boulka and Mesa

CITY PLANNER: Justin Burslie, Sourcewell

DEPUTY CLERK: Jenny Peterson

COUNCIL LIAISONS: Dan Ronning

1. Call Meeting to Order

1.2 Roll Call

2. Consider Agenda

A motion was made by Planning Commission Member Gonczy, seconded by Planning Commission Member E. Larson, to approve the agenda, as presented. Passed Unanimously, 4-0.

3. Public Hearings

4. Open Forum

None

5. New Business

5.1 Metes and Bounds Subdivision – Tom Peterson, applicant was present.

Mr. Burslie explained the staff report.

Planning Commission Member E. Larson inquired if the driveway will be moved. Mr. Burslie stated that the driveway will stay in the same place with an easement already in place.

Chair L. Larson inquired about the SSTS Compliance Inspection that needs to be completed before the sale tract can be consolidated with the west plat. Mr. Burslie stated the SSTS Compliance Inspection will need to be conducted if not within three years.

1. The subject property is zoned Shoreline Residential and is adjacent to Mayo Lake (General Development.)
2. The lot widths of the proposed parcels meet the minimum standard of 100 feet.
3. The proposed parcels meet the minimum buildable area requirements of 20,000 square feet in the Shoreline Residential Zone.
4. Proposed "Tract A" contains the pre-existing dwelling which is served by an SSTS and private well. The property has direct access to Co Road 168 however it is accessed via an existing driveway (easement) across the "remnant tract."
5. Proposed "remnant tract" is 18.3 acres and does not contain any structures. The proposed parcel is mostly wooded and is approximately 25% wetland area.
6. Proposed "sale tract" is 1.1 acres and contains an accessory structure (garage). The tract is proposed to be consolidated with the parcel located to the west of the subject property (4093 COUNTY ROAD 168, PIN 29270768)
7. The subject property is not adjacent to municipal water and wastewater utilities. Proposed "Tract A" contains an SSTS and sufficient space for an alternate site, while proposed "remnant tract" contains sufficient space for a primary and alternate location and "sale tract" is proposed to be consolidated with a parcel that contains an SSTS.
8. The property is suitable in its natural state for the intended purpose and this lot split would not be harmful to the health, safety, or welfare of future residents or of the community.
9. The applicant is not proposing any provisions for water-based recreation.
10. The proposed lot layout meets the requirements of the ordinance.
11. Each of the proposed parcels has at least 33-feet of frontage on public right-of-way.
12. The subject property meets the requirements of the code for stormwater management.
13. There are no public streets proposed within the development.

Planning Commission Direction: The Planning Commission can approve the metes and bounds subdivision, deny the metes and bounds subdivision, or table the request if additional information is needed. If the motion is for approval or denial, findings of fact should be cited.

Staff Recommendation: The proposed parcels meet the minimum requirements of the Shoreline Residential Zone. Staff recommends the application be approved with the following conditions:

- 1) Prior to the city signing deeds (required for recording) for the subdivision the applicant shall submit a current SSTS compliance inspection report for the SSTS located on "Tract A."

- 2) "Sale Tract" must be consolidated with the property located at 4093 County Road 168 (PIN 29270768) as proposed.

Planning Commission Member E. Larson moved to approve the Metes and Bounds subdivision with 13 findings of fact and conditions. Planning Commission Member Johnson. Motion carried 4-0.

5.2 Food Truck Regulations – Discussion

Mr. Burslie stated that in City recently received a request regarding licensing Food Trucks. The city currently licenses food trucks by using our Transient Merchant license. Mr. Burslie stated that the city adopted a temporary commercial structures ordinance, City Code 17-8.12, which would be allowed with an interim use permit application. Mr. Burslie stated that the Minnesota Department of Health (MDH) also has other regulations that would need to be considered.

Collin Jacobs, 30984 Government Dr, stated he was approached by a gentleman to move a food truck on the south side of his property. Mr. Jacobs stated the main concern was that the food truck would need to be moved every 14 days with the current Transient Merchant License. The gentleman would like to have a permanent place for a food truck and would landscape the area.

Discussion ensued regarding length of time in one location, hours of operations, areas where trucks would be allowed, interim use permits, and regulations with the MDH.

5.3 Fee Schedule – Discussion

Mr. Burslie stated that Jenny and I have been discussing the City's fee schedule. We would like to potentially adopt a simpler fee schedule for Land Use Fees. Staff will work on the fee schedule to be approved and activated on January 1, 2024.

5.4 Fence Setback Requirements – Discussion

Mr. Burslie stated that there is no requirement for the setback from a sideline property line in the City Code. Discussion ensued regarding setbacks, within the property line, and maintenance. The Commission recommends keeping a strong recommendation to property owners of a three-foot setback from the property line.

5.5 Commercial Impervious Coverage – Discussion

Mr. Burslie stated that a commercial property has applied for a land use permit for the expansion of a building. Staff discovered that the Commercial zone allows 25% impervious coverage up to 50% with a Conditional Use Permit (CUP). Discussion ensued regarding increasing the impervious coverage from 25% to 60% outside the shoreline area.

6. Old Business

None

7. Approval of Minutes

7.1 Approval of March 27, 2023

A motion was made by Planning Commission Member E. Larson seconded by Planning Commission Member Johnson, to approve the March 27, 2023, Minutes. All members voted "aye". Motion carried, 4-0.

8. P & Z Administrator's Report

8.1 Permits and Correspondence

8.2 Potential Violations/Enforcement Actions

The following Potential Violations/Enforcement Actions were discussed:

Mr. Helbling inquired about a 30-day extension until April 30, 2023.

9. Adjournment

A motion was made by Planning Commission Member Johnson, seconded by Planning Commission Member E. Larson, to adjourn the meeting. All members voted "aye". Motion carried, 4-0.

The meeting was adjourned at 6:40 PM.

Respectfully submitted,

Jenny Peterson
Deputy Clerk