

**BOARD OF ADJUSTMENT/PLANNING COMMISSION
CITY OF LAKE SHORE
LAKE SHORE CITY HALL
MINUTES
NOVEMBER 13, 2023
9:00 AM**

Commission Members in attendance: Chair Jim Woll, Sean Weldon, Gene Hagen, and Pat Hastings, Council Liaison John Terwilliger; City Zoning Administrator Teri Hastings, and City Clerk Patti McDonald. Absent were Commission Member PJ Smith; City Engineer Joe Dubel; Alternates Glen Gustafson, Pam Poston, and Alex Kuhn. A quorum was present, and the Commission was competent to conduct business. There were two people in the audience.

Chair Jim Woll called the meeting to order at 9:01 a.m.

Approval of the October 9, 2023, Regular Meeting Minutes – MOTION BY GENE HAGEN AND SECONDED BY SEAN WELDON TO APPROVE THE MINUTES FOR THE OCTOBER 9, 2023, BOARD OF ADJUSTMENT/PLANNING COMMISSION AS PRESENTED. MOTION PASSED.

PUBLIC HEARING –

Zoning Ordinance Revisions – The Planning Commission will be considering a revised zoning ordinance. The purpose and intent of this Ordinance is to align the zoning ordinance in conformance with the city’s comprehensive plan and the DNR shoreland standards.

Below is a list of proposed modifications to be made to the zoning ordinance. This list is not comprehensive in that it does not identify every change made. It is intended to list the most impactful proposed changes. These changes were brought about by an update to the Comprehensive Plan in 2019.

Bluff language Modified to coincide with DNR preferred language and changed the bluff setback from 30’ to 50’. The DNR gave the city two options in determining bluffs. Area surveyors were consulted regarding these options.

DNR diagrams. DNR diagrams were inserted into the definition section of the ordinance to help explain terms such as building height, bluff, lot width, shore impact zone and shoreland zone.

Fish House Dimensions. Dimensions of fish houses were deleted from the ordinance as most fish houses exceed the previous dimension given.

Natural Vegetation. Added language that requires natural vegetation preferably native vegetation within the lake setback except for approved improvements (steps, water oriented accessory structure). This would prohibit someone from using artificial turf for a yard or pea-rock.

Guest Cabins and Guest Quarters. The city was required by the DNR to bring the guest cabin and quest quarter size in line with the DNR requirements. The maximum size for guest quarters or cabin is proposed at 700 square feet. Previously, areas above a detached garages did not have a limit.

Steep Slope. A definition for a steep slope was added and clarified. Steep slopes are to be identified in new plats but may be included in the minimum lot size.

Water Oriented Accessory Structures. This section was modified to bring it into line with the DNR and surrounding communities. Property owners will be given the option to have 250 square feet of water oriented accessory structure (deck, shed or patio) with restrictions which include no habitation, 10' setback from the ohw and not located within a bluff.

Storage Shed Setback. The sideyard setback for a storage shed is proposed at 5'.

Pre-existing lots. DNR language was used in regard to pre-existing lots. Pre-existing lots are buildable without a variance if all other ordinance requirements are met such as setbacks, impervious coverage, and a conforming septic system.

Shouse. Language is added to the R-1 and R-2 sections that would limit the amount of garage area in comparison to the area of living space (footprint). The percentage would be 200% for the R-1 district and 150% for the R-2 district. Proposed buildings exceeding these limits would be required to obtain a conditional use permit.

Boat access ramps. Prohibited boat access ramps in bluffs.

Dark sky lighting. Added language addressing down cast lighting, encouraging dark sky compliant lighting and prohibited certain types of light such as search lights and lasers.

The following documents became part of the record – Notice of publication of public hearing. There was one written comment from Courtney and Dave Klocke, 976 Point Narrows Road, in support of the changes relating to the Water Oriented Accessory Structures in the Zoning Ordinance presented. The DNR has given provisional approval.

After the letter was read into the record, Lake Stewards Sheila Johnston and Kris Driessen asked to share their comments regarding their opposition to the proposed Water Oriented Accessory Structures. They want to protect the shoreline in its natural state.

Jim Woll opened the floor to Sheila, she said they do not feel there should be any added structures near the shoreline. Jim Woll answered that the DNR allows up to 250 square feet for a structure, and Lake Shore thought that 150 square feet for a structure, and up to 250 square feet including a patio was a better option. The structure has to be at a setback of 10 feet from the OHW and can be within those 10 feet and 75 feet from the OHW. Kris said she is a wildlife defender and doesn't want to see the destruction of their animal habitat. Teri commented that prior to the change the city did allow a 150 square foot patio near the shoreline. She said she checked with surrounding communities for what they allow, which is relevant to the changes made to the ordinance.

The Planning Commission had no further concerns with the balance of the modifications to the proposed Zoning Ordinance changes.

MOTION BY SEAN WELDON AND SECONDED BY PAT HASTINGS TO RECOMMEND MOVING THE DRAFT REVISION OF THE ZONING ORDINANCE AS PRESENTED TO THE LAKE SHORE CITY COUNCIL FOR APPROVAL. MOTION PASSED.

Sheila Johnston thanked Teri for all she does to protect Lake Shore, she felt that Teri needs to have someone on staff to provide zoning inspections. She said Teri cannot be everywhere within the city and she would like to encourage the city council to provide her that help. Kris and Sheila both said that new people to the area may not know what they are doing isn't good for the shoreline.

There were ideas shared to help accomplish the protection of the shoreline, such as larger fines, or establishing

the shoreline back to natural. Kris Driessen commented that education is very helpful when working within the shoreline and knowing how to keep it close to its natural state. Pat Hastings asked what the fines are. Teri said the maximum she thinks is \$1500; she can present this to the city attorney to see if our administrative fines can be increased. The fines are usually set at the January council meeting. Pat said they should be steeper than what they are. This is a subject that can be looked at further at future Planning Commission meetings. Jim Woll commented that there is public forum at every meeting, and they are welcome to attend.

NEW BUSINESS – There was no new business.

OLD BUSINESS – There was no old business.

REPORTS

City Engineer – Joe Dubel was absent. Teri said that helical piers for the Gull Lake Trail are installed and came in at the original described depth that was budgeted for. The boardwalk will be finished this month; however, the completion of the trail has been delayed because of the weather and no paving will be done until spring. Lake Shore’s portion of super application of the GMRPT grant that was submitted earlier this fall was turned down for funding. The Fairview and Nisswa portions were funded. The committee that reviews the applications suggested that Lake Shore look for ways to reduce the cost of the boardwalk that will run behind Gohman Construction. She said that they suggested a different material, such as aluminum, which is not as aesthetically pleasing, but could save the city \$1M. She said that they will continue looking at different options and will re-submit for another GMRPT grant.

Chair – Jim Woll had nothing to report.

Council Liaison – John Terwilliger had nothing to report.

Zoning Administrator – Teri Hastings said she nothing additional to share. The solar committee will meet on Wednesday afternoon.

PUBLIC FORUM – Kris Driessen commented that if aluminum is used on the boardwalk for the trail around Gohman Construction, it will create more noise.

MOTION BY PAT HASTINGS AND SECONDED BY GENE HAGEN TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF NOVEMBER 13, 2023, AT 9:40 AM. MOTION PASSED.

Transcribed by Patti McDonald
Lake Shore City Clerk