BOARD OF ADJUSTMENT/PLANNING COMMISSION
CITY OF LAKE SHORE
LAKE SHORE CITY HALL
MINUTES
APRIL 14, 2025
9:00 AM

Commission Members in attendance: Chair Jim Woll, Alex Kuhn, PJ Smith, Sean Weldon; Alternate Kevin Egan; City Zoning Administrator Teri Hastings; Widseth Engineer Alex Bitter and City Clerk Laura Fussy. Alternate TJ Graber was also present. Absent were Commission members Pat Hastings, Alternate Dave Riegert and Council Liaison Darcy Peterson. A quorum was present, and the Commission was competent to conduct business. There were 10 people in the audience.

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

Approval of the March 10, 2025 Regular Meeting Minutes – Jim Woll requested a couple corrections under the Sherwood conditional use permit conditions.

MOTION BY KEVIN EGAN TO APPROVE THE MINUTES FOR THE MARCH 10, 2025, BOARD OF ADJUSTMENT/PLANNING COMMISSION AS AMENDED. SEAN WELDON SECONDED THE MOTION. MOTION PASSED.

Jim discussed the meeting procedures that he would like to follow. He also introduced Alex Bitter from Widseth who will be attending the meetings as the City Engineer.

PUBLIC HEARING – Conditional Use Permit - Andrew O'Day – The applicant is requesting a conditional use permit to construct a 1200 square foot detached accessory structure meeting all ordinance requirements including setback, impervious surface and building height requirements. The property is described as Part of Government Lot 1, Section 31, Township 135, Range 29. The property is zoned Low Density Residential (R-1) and site address is 9459 Agate Lake Road.

The following documents became part of the record – Notice of mailing, notice of publication of public hearing, signed application and attachments and staff report. There were no letters or comments received from the public.

Teri's staff report indicated the following:

1. The applicant is requesting a conditional use permit to construct a 1200 square foot accessory structure. The R-1 district allows for 1200 square feet of detached accessory structure, however, with a conditional use permit the property owner can exceed that amount.

2. The proposed garage will meet all setback requirements and height requirements. Elevation drawings have been submitted. The proposed garage will be a single-story structure with no guest quarters.

3. The property does not contain any wetlands according to the Cass County GIS. survey.

4. The proposed garage will have an overall height of 19 from the ground which does not exceed the height requirement for accessory structures. The applicant elevation drawings submitted indicates a pole barn type structure in charcoal with black wainscoting.

5. The proposed garage will not impact the on-site septic system for the property. The existing on-site septic system is located westerly from the proposed building. The applicant should ensure that construction vehicles and material are not driven over or stored on the system.

6. The property will not exceed the amount of impervious surface. With the proposed building the impervious will be 5.9% and there will be additional driveway to the new building (a rough estimate of 6.5%).

   Teri discussed that it does meet all setbacks and ordinance requirements. The ordinance states if that if you have over a certain amount of detached accessory structure that it does trigger a conditional use permit, which is the case for this situation.

Planning Commission Direction:
The planning Commission may decide to approve the application, deny the application, or table the application if further information is required. If the decision is for approval or denial the findings of fact should be cited.

Findings-CUP: *Answers have been provided by City Staff in italics.*
Findings shall be made in either recommending approval or denial of a conditional use application. **The following findings must be met:**

- **The use must be appropriate for the zoning district**. *The proposed use is allowable as CUP within the R-1, Low Density Residential.*

- **The use with conditions would be compatible with the city's Comprehensive Pl**an: *The accessory use does not conflict with the city's Comprehensive plan, as the cup allows the city to place appropriate conditions on the structure to ensure it fits into the rural neighborhood.*

- **The use with conditions would be compatible to neighborhood**. *The neighborhood is predominantly residential with a nearby resort.*

- **The use would not be injurious to the public health, safety, welfare, decency, order and comfort, convenience, appearance, or prosperity of the city.** *The proposed building would not detract from the appearance of the community and would not be injurious to the public health, safety, and welfare. The existing property is well maintained and would assume with the construction of the new building this would continue.*

In addition, the Planning Commission should consider the following:

- **The Conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity**. *The proposed project would not diminish the use or enjoyment of surrounding properties but may enhance the value of those properties.*

- **The Conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area**. *The proposed use would not impede the development or improvement of surrounding properties in the area.*

- **The Conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community**. *There should be no cause for public requirements or facilities and not cause a detriment to the economic welfare of the community.*

- **The Conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or indifference with traffic on surrounding public thoroughfares**. *No changes are planned in this regard and currently there are no issues with traffic.*

- **Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use**. *The building will have parking outside the garage doors and no additional parking is required for the residential property.*

- **Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result**. *The applicant should be asked about any planned lighting for the property, including landscaping lights.*

- **The Conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historical feature of major signific**ance. *There are no known historical or scenic features on the subject property.*

- **The Conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.** *There should be no issues with pollution of ground water and sedimentation provided the applicant revegetates all disturbed areas after the completion of construction and erosion control measures are used during construction.*

In permitting new conditional use permits, the Planning Commission may impose, in addition; to the standards and requirements expressly specified by the ordinance, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the city as a whole. This may include the following:

- Increasing the required lot size or yard dimension
- Limiting the height, size, or location of buildings.
- Controlling the location and number of vehicle access points.
- Increasing the street width.
- Increasing or decreasing the number of required off-street parking spaces.
- Limiting the number, size, location, or lighting of signs.
- Requiring berming, fencing screening, landscaping, or other facilities to protect adjacent or nearby property.

MOTION BY PJ SMITH AND SECONDED BY ALEX KUHN TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR ANDREW O'DAY AT 9459 AGATE LAKE ROAD. MOTION PASSED.

Conditional Use Permit – Brent Anderson – The applicant is requesting a conditional use permit to construct an 11,940 square foot structure meeting all setbacks. The purpose of the structure is for private storage. The property is legally described as Lots 6-8, Block 6, Tingdale Brothers Sherwood Forest on Gull Lake. The property is zoned Neighborhood Commercial and the site address is 8443 Interlachen Road.

The following documents became part of the record – Notice of mailing, notice of publication of public hearing, signed application and attachments and staff report. Teri read into the record letters from the public regarding the conditional use permit.

Josh Miles was present to represent Brent Anderson and to answer any questions that the Commission may have.

Kevin asked what will be stored in the building in which Brent stated that it will only be personal items of his family.

PJ Smith asked about the access points and the requirement of County approval and that if there is outside storage that it would be properly screened.

Jim Woll asked about signage on the property and Brent stated there is no plan to put signage up.

Jim asked about how the erosion going to be controlled during construction. Brent stated he is using Schrupp Excavating out of Pine River to handle all the excavating and he has confidence they will follow all the proper procedures. There will also be two different drainage areas on the property to control potential runoff.

Jim stated that a NPDES permit from the MPCA is required if disrupting more than 1 acre of land. Brent acknowledged the information.

Kevin Egan asked about the amount of parking spaces and if there is a commercial use intended with the property. Brent clarified that there is no intended commercial use.

Teri stated he is close on impervious for parking at 38% so additional parking would need to be in the paved areas as shown on the survey and Brent verified that was correct.

Kevin asked Brent about the two bathrooms being put in the building and he stated that there will be one on each wing.

Jim verified with Brent that there was no intent for residential and he stated no intent.

Alex stated the plans look like there is enough room for a storm water plan. He did not see any well information but there is space for the septic system.

Teri's staff report indicated the following:

1. The applicant has submitted a conditional use permit request for the construction of a 11,940 square foot building for the purpose of private storage.

2. The property is zoned Neighborhood Commercial. The lot size for the Neighborhood Commercial District is 40,000 square feet with 20,000 square feet being buildable. This site has a land area of 51,742 square feet. There are no bluffs or wetlands on the property.

3. In permitting new conditional use permits, the Planning Commission may impose, in addition; to the standards and requirements expressly specified by the ordinance, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the city as a whole. This may include the following:

- **Increasing the required lot size or yard dimension**. *The proposed improvements do not exceed the impervious coverage requirements, the applicant has maximized the building envelope and impervious coverage for the property.*

- **Limiting the height, size, or location of buildings**. *The building is 11,940 square feet so a large Structure; for reference, the buildings to the southwest 17,972 sq ft and 14,480 sg ft.*

- **Controlling the location and number of vehicle access points**. *The property is on curve of County 77 with limited visibility in this area. There is an entrance onto 77 across the street from the subject property, will these align? Two entrances could cause some issues; a permit from the Cass County Highway Department is necessary. Does the private storage necessitate two entrances for private storage? How many vehicles per day does the property owner anticipate in exiting and entering the property? If the property is for personal storage, trailers most likely will be utilized as well.*

- **Increasing the street width**. *Increasing the street width should not be necessary for the proposed use.*

- **Increasing or decreasing the number of required off-street parking spaces**. *The use is for private storage so parking should not be an issue. There is adequate bituminous area shown on the survey for parking if needed by the owner.*

- **Limiting the number, size, location, or lighting of signs**. *The applicant has stated the use is for private storage and signage should not be needed however, this should be confirmed with the applicant.*

- **Requiring berming, fencing screening, landscaping, or other facilities to protect adjacent or nearby property**. *The adjacent properties are zoned neighborhood commercial however, the properties across County 77 are zoned residential. A landscaping plans is shown on the site plan.*

4. The following should be met for the conditional use to be approved: the use must be appropriate for the zoning district (neighborhood commercial). The use with conditions would be compatible with the city's Comprehensive Plan. The use with conditions would be compatible to neighborhood. The use would not be injurious to the public health, safety, welfare, decency, order and comfort, convenience, appearance, or prosperity of the city. *The proposed building is quite large and will change the appearance of the area. The applicant will need to demonstrate that the building will integrate with the neighborhood and the applicant should adequately address all areas of the staff report prior to approval.*

5. The proposed use would be consistent with the Comprehensive plan. The Comprehensive Plan states new development should be screened; the applicant has provided a plan indicating where trees are to be planted. In addition, the Comprehensive Plan does state that future commercial development should be compatible with adjoining properties. The property to the north is an office building with a detached garage. The property to the southwest is a residential home. There are properties to the southwest that are large scale buildings for private storage which have integrated well into the neighborhood that have a good aesthetic.

6. In addition, the Planning Commission should consider the following:

    - **The Conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity**. *The proposed use with appropriate conditions should not be injurious to the use and enjoyment of other property in the area nor diminish or impair property values.*

    - **The Conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area**. *The use with appropriate conditions should not impede normal and orderly development of the area.*

- **The Conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.** *The proposed use should not require additional public facilities or services that would be detrimental to the economic welfare of the community.*

- **The Conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or indifference with traffic on surrounding public thoroughfares.** *This item was discussed earlier, and the applicant will need to obtain an entrance permit from Cass County Highway Department. A determination on the entrances from Cass County would be helpful in the city's review of CUP.*

- **Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use**. *Parking has been in the staff report and loading space should not be an issue.*

- **Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result**. *The applicant has stated the building is to be used for private storage so there should not be any nuisance related issues with appropriate conditions.*

- **The Conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historical feature of major significance**. *The site is not a historical site or contains and features of major significance.*

- **The Conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrient**s. *The applicant has provided areas for stormwater retention on the site. There is a large roof area and to get the runoff from the roof to the drainage areas should be addressed. Will there be gutters? In addition, what measures will be used for erosion or control of sedimentation during construction, if more than an acre is disturbed then a NPDES permit is needed from the MPCA.*

7. The Neighborhood Commercial standards do not specify a number of parking spaces for this type of use; the Planning Commission will need to determine the number of spaces. The applicant has suggested 15 spaces but where would they be located and why would 15 spaces be necessary for private storage. The application later states 6 spaces so this should be addressed. The ordinance requires the parking space to be 10'x20'.

8. The applicant is proposing overhead doors on two sides of the building which face County 77/ Interlachen Road. The ordinance states overhead doors shall be placed primarily in the rear and secondarily in the side yard. Given the design of the building. There is not adequate room to the rear or side to relocate the overhead doors unless the building size were decreased which is an option.

9. Currently the Neighborhood Commercial District allows 40% impervious surface. The amount of proposed impervious surface for this site plan is 38.4%.

10. The applicant has submitted a landscape plan for the site. There are some mature trees (pines and deciduous) on the property; the applicant should be asked if any trees will remain or how will the property be cleared. The NC district requires 10% of the land to be seeded or sodded and landscaped with approved ground cover, shrubbery, and trees. The plan does meet this requirement however, it would be helpful to have more information on the type of trees to be planted.

11. **Trash handling equipment**: The applicant should address how he will manage trash equipment. Will there be a dumpster and where will it be located and will it be screened.

12. **Mechanical Equipment**: I do not believe there should be out of the ordinary mechanical equipment for the building located outside. This should be verified and if necessary, a condition on type and location may be needed.

13. **Exterior Lighting**: The applicant has via email stated there will be downward lighting above the doors. For clarification, the applicant should be asked if there will be lighting for all doors including the overhead doors. Due to the residential properties across the street, the lighting should be downcast and prevent glare. The plans do not indicate if there will be any other exterior lighting for the premises (parking area). This should be confirmed with the applicant. Any lighting should be dark-sky compliant.

14. **Signage**: The applicant has not addressed signage in the application and since this structure is for personal use and not commercial, there should not be any signage but again this should be asked.

15. **Architectural Appearance**: The applicant has provided elevation drawings of the building along with the floor plan. The plans do not indicate who drafted the plans. The applicant is proposing a building that is referred to as a "pole barn." The applicant stated in an email that the building will be steel and stone of natural color. The Planning Commission will need to determine if that is sufficient description and does it fit into the neighborhood.

16. A septic system site evaluation and design has been submitted. The applicant stated there will be two bathrooms on each side of the building, however, the floor plan does not show any rooms or sinks or any type of facility where plumbing would be needed. This information is needed to determine if the septic design is adequate. I am assuming this would be a low volume site but if the applicant were to have drains in the building for washing of vehicles etc. this will need to be known. In addition, the design does not show the location of the proposed well.

17. **Outdoor Storage**: The applicant should address if any outdoor storage is planned.

18. **Drainage/Grading**. The survey shows two areas for stormwater. This was discussed earlier in the staff report.

19. **Access**. This issue has been discussed earlier in the staff report.

STAFF DIRECTION:
The Planning Commission may decide to approve the application, deny the application, or table the application if further information is required. The Planning Commission will need to determine if the applicant has adequately addressed all areas mentioned in the staff report, if not then the application should be denied and have the applicant address all areas of concern (these would constitute the findings). If the decision is for approval, then findings of fact should be cited (listed below in the rationale) along with conditions.

- The proposed building shall only be used for private storage, no other use or activity shall be commenced without obtaining a new conditional use permit.
- The proposed landscaping (trees, irrigated lawn and run off ponds) to be completed within one year of the building being completed.
- The driveway shall be paved (or similar surface) within one year of completing the building.
- Prior to issuance of a permit, copy of a NPDES permit (if required).
- Any change to the plan or impervious surface shall be approved by the city.
- No signage for the property is allowed unless modified by the Planning Commission.
- Building shall be staked by a surveyor prior to construction.
- The access to the property shall be approved by Cass County Highway Department and evidence of such provided to the city.
- Lighting shall comply with the city ordinance and be dark sky compliant.
- Outdoor storage on a permanent basis is prohibited or unless modified by the Planning Commission.
- X number of parking spaces as required by the Planning Commission.
- Building materials/colors?

MOTION BY PJ SMITH AND SECONDED BY ALEX KUHN TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT SUBJECT TO THE CONDITIONS SPECIFIED IN TERI'S STAFF REPORT FOR BRENT ANDERSON AT 8443 INTERLACHEN ROAD.

MOTION PASSED.

Variance – Timothy and Marci Spaeth – The applicants are requesting a variance to demolish the existing non-conforming home and garage and to rebuild a home and attached garage at a setback of less than 75' from Gull Lake, less than 15' sideyard setback, less than 20' from the rear yard and to exceed the impervious coverage amount (the impervious will be less than the existing impervious). The property is legally described as Lot 5, and Part of Lot 6, Ozonite Park and the site address is 8213 Harold Street. The property is zoned R-2, Medium Density Residential.

The following documents became part of the record – Notice of mailing, notice of publication of public hearing, signed application and attachments and staff report. Teri read into the record letters from the public regarding the variance. No comments were received from the DNR.

Ray Rasinski the contractor for the project was present to answer any questions the Commission may have regarding the variance.

Ray discussed a couple of options regarding the project and said they could 1) do nothing or 2) the homeowners would agree to help the situation by offering some options in regards to the project.

Jim asked if anyone from the public had any comments.

Sandy Sanchez – 8226 Harold Lane – She is west of the Spaeths, and is supportive of the property owner's project.

Dave Baldwin - 1137 Miller Lane – He believes they are compromising and approval of the project.

Teri passed around the pictures she took at the property regarding the property line.

Jim asked Alex about the lift station location and Alex did not see any issues except if maintenance vehicles were working on it that it would potentially block them from getting out of their garage.

Alex asked if there will be gutters in which Ray stated there would be and they would be directed underground to the drainage basins.

Jim asked if the lift station could be moved. Alex stated it would be a costly and not the most practical plan. They could put Bollards around the control box to not cause damage.

Ray spoke about containing the property with fencing and eliminating issues with neighbors. The property owners went through some scenarios of what they could do to change the issues with the setback from the garage being 3ft on the west side and 1.5ft on the south side. They would potentially bring the garage 4ft towards the south and then shift it 2ft to the east, it wouldn't change the access point which with the lift station where its located, could not be changed. By moving the garage, they would shrink the structure 104ft and the porch entrance addition would be eliminated and put into the structure which would remove 60 sq ft. He also said they would be willing to eliminate the front porch which is another 8x26 = 104 sq ft so that would put them under the 25% impervious coverage.

Teri stated that the house with the removal of the front porch would have the house at a setback of 69ft, in relation to the neighbor to the east, they are at a 64ft setback.

PJ had a question on how we come to an approval with the conditions that have been brought before them today.

Teri stated that they could approve the variance contingent on the changes that Ray has stated with the impervious coverage being under the 25%, removing the front patio, decreasing the house length from 72ft to 68 ft and submitting a drawing showing all the changes. She also spoke about how there is currently not a storm water plan on the property and with this variance there would be one.

The Commission discussed the possible ways to move forward with the application.

Teri's staff report indicated the following:

1. The applicant is requesting a variance to demolish the existing home and detached garage and to reconstruct a new home with an attached garage. The proposed home and garage will have a footprint of 1976 square feet plus a 12' lakeside patio. The home/garage require variance from the lake, sideyard road right of way, and rear property lines. Plus, a variance is needed to exceed the amount of impervious coverage.

2. The lot is a pre-existing lot created in 1964 prior to any zoning requirements. The lot size is 8,595 square feet. The existing home was constructed between 1964 and 1971 (prior to the city issuing permits). In 1973 a permit was issued for a second story. In 1996, a variance was issued for an addition to the rear of the dwelling and in 2001, a variance was granted to convert a carport to a 20'x28' single story garage at a setback of 1' from the sideyard and 2' from the rear yard.

3. The property is unique. The property abuts Harold Street (formerly Roland St.) from what is typically the side of the property and with only 25' of frontage along the ROW. In addition, there is a lift station located at the southeast corner of the ROW as you enter the property (impacting maneuverability). The lot width at the rear of the property is 43' and there is only 70' of lake shore.

4. The existing home is at a setback of 58' from the OHW and the existing deck is 46' from the OHW. The existing amount of impervious surface is 28.3%. The proposed dwelling will be at a setback of 69' and the patio at a setback of 58'. The patio would meet the 50' lake setback and the 15' sideyard setback. The proposed impervious coverage is less than the existing impervious surface. The minimum dwelling width for the R-2 district is 24 feet.

5. The property owner is proposing to use pervious materials for the driveway and patio. Utilizing pervious materials give a 50% credit (not 100%). If the property owner were to reduce the building size by 178 square feet, then the maximum amount of impervious coverage would not be exceeded. The applicant has decreased the width of the home by 1' to better conform to sideyard setbacks.

6. The applicant has shown two water infiltration basins on the lakeside of the property. Currently, there is not a plan for stormwater for the property. According to the survey the highest elevation of the property is to the rear and the lowest at the lake. The property owner will want to ensure that any runoff be contained onto their property.

7. The property is served by municipal sewer and a private well. According to information in the file, there is a shallow well inside the home. A new well will need to be drilled and located in a compliant location. The location of a new well location should be addressed as it may need to be drilled after demolishing the existing home and before constructing the new home.

8. The applicant should be asked about the dimension of the eaves. Since the garage is so close to the lot line, a construction or temporary easement will be needed from the adjoining property owner. Is it possible to decrease the size and or move the proposed house/garage forward? Change the orientation of the garage?

9. The proposed plan does lessen the nonconformities (increased lake setback, conforming patio, less impervious, stormwater plan, elimination of nonconforming steps but there are challenges with the rear setback and construction easement along with exceeding the impervious coverage amount.

STAFF DIRECTION:
The Planning Commission may decide to approve the application, deny the application, or table the application if further information is required. If the decision is for approval or denial the findings of fact should be cited (listed below).

FINDINGS OF FACT:

- The applicant establishes that there are practical difficulties, as defined in this Ordinance, in complying with the official controls, and there is not sufficient area on the property to construct a conforming house and garage. The dwelling has some issues as it relates to age.

- The strict interpretation of the Ordinance would be impractical because of circumstances relating to lot size, shape, topographic or other characteristics of the property not created by the landowner, and The property is a pre-existing lot, created prior to the city adopting a zoning ordinance. The lot is nonconforming due to the lot size. The lot is unique as it relates to the frontage of the lot along the right of way of Harold Street in addition, the city lift station in the se corner of the row further limits access to the property and orientation of the garage.

- The deviation from the Ordinance with any attached conditions will still be in keeping with the spirit and intent of this Ordinance and the comprehensive plan, and (the addition will not impact the use of the county row nor will it visually impact area).

- The Variance will not create a land use not permitted in the zone, and (the proposed use is an approved use within the R-2 zoning district).

- The Variance will not alter the essential character of the locality, and (the proposed dwelling is proposed in a comparable location compared to the property to the east, The proposal is like others within the Ozonite area.

- The Variance is not for economic reasons alone, but reasonable use of the property does not exist under the Ordinance. The building envelope for the property is irregular in shape and is 834 square feet.

MOTION OF KEVIN EGAN AND SECONDED BY PJ SMITH TO APPROVE THE VARIANCE REQUEST OF TIM AND MARCI SPAETH BASED ON THE FOLLOWING FINDINGS OF FACT AND THE MODIFICATIONS DISCUSSED TODAY:

- The applicant establishes that there are practical difficulties, as defined in this Ordinance, in complying with the official controls, and there is not sufficient area on the property to construct a conforming house and garage. The dwelling has some issues as it relates to age.

- The strict interpretation of the Ordinance would be impractical because of circumstances relating to lot size, shape, topographic or other characteristics of the property not created by the landowner, and The property is a pre-existing lot, created prior to the city adopting a zoning ordinance. The lot is nonconforming due to the lot size. The lot is unique as it relates to the frontage of the lot along the right of way of Harold Street in addition, the city lift

station in the se corner of the row further limits access to the property and orientation of the garage.

- The deviation from the Ordinance with any attached conditions will still be in keeping with the spirit and intent of this Ordinance and the comprehensive plan, and (the addition will not impact the use of the county row nor will it visually impact area).

- The Variance will not create a land use not permitted in the zone, and (the proposed use is an approved use within the R-2 zoning district).

- The Variance will not alter the essential character of the locality, and (the proposed dwelling is proposed in a comparable location compared to the property to the east, The proposal is like others within the Ozonite area.

- The Variance is not for economic reasons alone, but reasonable use of the property does not exist under the Ordinance. The building envelope for the property is irregular in shape and is only 834 square feet.

MOTION PASSED.

NEW BUSINESS – There was no new business.

OLD BUSINESS – There was no old business.

REPORTS
City Engineer – Dave Reese was absent. Alex Bitter with Widseth had nothing more to report.

Chair – Jim Woll had nothing to report.

Council Liaison – Darcy Peterson was absent.

Zoning Administrator – Teri Hastings had a couple comments. The sign sub-committee met later last week and an ordinance amendment will see that in the future. Teri also stated she received a complaint of tree removal on the bluff on a property in the bass lake/spider channel so the planning commission may see that come up at the next meeting for council action.

PUBLIC FORUM – There was no public forum.

MOTION BY SEAN WELDON TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF APRIL 14, 2025 @ 10:03 AM. ALEX KUHN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Laura Fussy
Lake Shore City Clerk