

CITY OF FIFTY LAKES
MINUTES OF THE PLANNING COMMISSION
June 27, 2023
6:00 PM

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6 1. Call to order: 6:00 pm

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8 **2. Roll Call:**

9 Planning Commission: Bob Stancer, Don Reiersen, Fred Strohmeier, Bruce Bissonnette, Mike Milbrath
10 Staff: Justin Burslie, Planning and Zoning Administrator; Jessica Istvanovich, Deputy Clerk
11 City Council: Gary Staples
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13 **3. Public Hearings:**

- 14 a) V-01-23 to construct a 20' x 32' (640sf) dwelling addition partially within the OHW level setbacks.
15 Property address: 41282 Peninsula Rd. Property owner/applicant: Lary Johnson
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17 MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STANCER TO APPROVE V-01-23
18 WITH THE 11 FINDING OF FACTS AND 2 CONDITION:
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20 **Staff Findings:**

- 21 1. The Subject property is located at 41282 Peninsula Road and is zoned "Shoreland Residential"
22 (East Fox Lake – General Development).
23 2. The variance request is to construct (a portion of) a 640 sf dwelling addition within the OHW level
24 setback on the property located at 41282 Peninsula Road. The proposed addition is located on the
25 north side of the pre-existing dwelling approximately 65' from the OHW level (75' required).
26 3. Approximately 320 sf of the dwelling addition is proposed to be constructed within the OHW
27 level setback area. The remainder of the proposed addition is proposed to be constructed within
28 the building envelope.
29 4. The existing single family dwelling is located 36.5' from the OHW level of East Fox Lake.
30 5. The proposed impervious surface coverage of the property is 20% (25% allowed).
31 6. The DNR has been notified of the request and has not provided comments.
32 7. Will granting the variance put property to use in a reasonable manner not permitted by the zoning
33 Ordinance? Commission answered "Yes".
34 8. Does the property have unique circumstances that were not created by the landowner? The
35 Commission answered "Yes".
36 9. If the variance is granted, will the essential character of the locality remain consistent? The
37 Commission answered "Yes, constructing a dwelling addition will not alter the essential character
38 of the neighborhood. The improvement will not be visible from the right-of-way and not highly
39 visible from adjacent properties of the lake."
40 10. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with
41 the purpose and intent of the city of Fifty Lakes ordinances? The Commission answered "Yes, the
42 request, with conditions, is consistent with the purpose and intent of the zoning ordinance and the
43 following goal in the comprehensive plan, "To preserve the natural character and environmental
44 quality of the lakeshore and still allow reasonable use for property owners and the public."
45 11. Has the variance request been made based on reasons other than economic considerations alone?
46 The Commission answered "Yes, the request has been made on factors other than economic
47 considerations.
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49 **Conditions:**

- 50 1. Stormwater runoff generated by the proposed addition shall be directed to the swale areas identified on
51 the survey.
52 2. Down spouts from the preexisting structure shall be drained towards storm water retention area.

When polled: All members voted aye. Motion carried

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MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO APPROVE THE
May 23, 2023 MEETING MINUTES.

When polled: All members voted aye. Motion carried

New Business: Mr. Burslie presented an update on the Horvath cell tower. He stated Horvath was approved for a conditional use permit to construct the 199 ft self-supporting cell tower with the condition that there will be no lighting at the top of the tower. Horvath submitted a request to the FAA who is requiring lighting at the top of the tower which conflicts with the conditional use permit. Mr. Burslie has notified Horvath of the need to amend their conditional use permit and the need for another public hearing to remove the condition.

P&Z Administrator’s Report: Mr. Burslie states that he would like to review the park dedication fees, RV permits and ordinances, and shoreline grading. He will work on presenting some comparisons and proposed changes for a future meeting.

4. MOTION BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO ADJOURN. Meeting adjourned at 6:53pm.

Jessica Istvanovich, Deputy Clerk