CITY OF FIFTY LAKES

MINUTES OF THE PLANNING COMMISSION

MARCH 25, 2025 6:00 PM

1. **Call to order:** 6:00 pm
2. **Roll Call:**

Planning Commission: Bob Stancer, Fred Strohmeier, Mike Milbrath and Gary Oster (via Interactive Technology, out of the country). Don Reierson, absent.

Staff: Bethany Soderlund, Zoning Specialist; Jessica Istvanovich, Deputy Clerk.

City Council: Juan Cabrera, Council Liaison

1. **Public Hearings:**
	1. **Variance Application (VAR-04-25)** to replace and slightly expand an existing non-conforming dwelling in the same footprint not meeting OHW setbacks, ROW setbacks and impervious thresholds within the Shoreland Residential (SR) zoning district. The subject property is located at 16857 North Eagle Lake Rd. PIN 22240504. The applicant is Erickson Home Designs. The property owners are Gregry & Kellene Schmidt.

**MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO APPROVE VARIANCE APPLICATION VAR-04-25 WITH 13 (THIRTEEN) FINDINGS OF FACT AND 3 (THREE) CONDITIONS AS DISCUSSED:**

**Findings of Fact:**

1. The subject property is located at 16857 North Eagle Lake Road and is zoned “Shoreland Residential” (eagle Lake – Recreational Development).
2. The subject property contains a legal existing non-conforming two-story dwelling located 64.1’ from the OHW where 100’ is required.
3. The request is to construct a 2165 sq. ft. dwelling 64.1’ from OWH where 100’ is required which requires a variance for the expansion of the dwelling to include a lofted area and the conversion of a screened- in porch into livable dwelling space.
4. The variance request includes a 16’ ROW setback where 20’ is required for the construction of the new dwelling.
5. The variance request includes an increase in impervious surface coverage from 15.8% to 16.4% where 15% is required.
6. The proposed project does not include an increase in bedrooms.
7. The subject property contains a limited building envelope. Any expansion to the pre-existing dwelling requires a variance.
8. The DNR has been notified of the request and has no comment.
9. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance?
	1. Yes, the applicant is proposing to continue the use of the property as a single-family residential dwelling and the property provides limited option for building.
10. Does the property have unique circumstances that were not created by the landowner?
	1. Yes, the property is a non-conforming legal lot of record, has a small building envelope, and the proposed dwelling does not expand any further lakeward than the existing dwelling.
11. If the variance is granted, will the essential character of the locality remain consistent?
	1. Yes, constructing the addition will not alter the essential character of the neighborhood. The improvement will be visible from the lake and right-of-way; however, the proposed size of the dwelling is consistent with other dwellings in the vicinity of the subject property.
12. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose and intent of the City of Fifty Lakes ordinances?
	1. Yes, the request, with conditions, is consistent with the purpose and intent of the zoning ordinance and the following goal in the comprehensive plan, “To preserve the natural character and environmental quality of the lakeshore and still allow reasonable use for property owners and the public.”
13. Has the variance request been made based on reasons other than economic considerations alone?
	1. Yes, the request has been made on factors other than economic considerations.

**Conditions of Approval:**

1. All construction shall be in substantial conformance with the presented plan as shown. Deviations from the presented plan will require modified approval by the Planning Commission.
2. A stormwater management plan shall be submitted for approval by staff and the completion of the project, whichever is sooner.
3. Property owner to consolidate parcels 22240504 & 22240597 in keeping with MN § Sec. 462.357 Subd. 1e. (g).

When polled: Mr. Stancer, aye; Mr. Milbrath, aye; Mr. Strohmeier, aye; Mr. Oster, aye. Motion carried.

(Mr. Reierson, absent)

1. **Approval of Minutes:**
	1. February 25, 2025, Planning Commission Meeting

**MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. STANCER TO APPROVE MINUTES FROM FEBRUARY 25, 2025, MEETING AS PRESENTED.** When polled: Mr. Stancer, aye; Mr. Milbrath, aye; Mr. Strohmeier, aye; Mr. Oster, aye. Motion carried. (Mr. Reierson, absent.)

1. **New Business:** The planning commission reviewed a request to reduce or waive the “after-the-fact” fee for a Land Use Permit on parcel 22360502.

**MOTION MADE BY MR. MILBRATH AND SECONDED BY MR. STANCER TO RECOMMEND TO CITY COUNCIL THAT THEY WAIVE THE AFTER-THE-FACT FEE OF $1,000.00 FOR A LAND USE PERMIT FOR PROPERTY OWNER SAMANTHA BARBER, 39823 BUCHITE LN, PIN 22360502.** When polled: Mr. Stancer, aye; Mr. Milbrath, aye; Mr. Strohmeier, aye; Mr. Oster, aye. Motion carried. (Mr. Reierson, absent)

1. **P & Z Administrator’s Report:** Ms. Soderlund reported 6 approved land use permits and 2 pending as of the March meeting.

**MOTION BY MR. STROHMEIER AND SECONDED BY MR. STANCER TO ADJOURN.** Meeting adjourned at 6:27 PM.

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 Jessica Istvanovich, Deputy Clerk