

Polk County
Planning Commission
July 23, 2021

Call to Order: 9:00 A.M.

Members in Attendance - Mike Powers, Paul Jore, Robert Franks, Len Vonasek, Mike Schulz, Donovan Wright, Don Cavalier, Arlet Phillips, Rolland Gagner and Jerry Jacobson.

Members Absent: Tom Noah

Also Present: Polk County Environmental Services' staff: Jacob Snyder & Michelle Erdmann

Minutes: A motion was made to approve the Planning Commission minutes, with the correction of Jacobson and not Lee in attendance, from June 25, 2021 meeting by Franks. Second by Schulz. All in favor.

Public Hearing: CUP – Tim & Tracy Roche Parcel #74.00068.01

Powers read the notice of the hearing, waiving the reading of the full legal and turned the meeting over to Snyder.

Snyder then stated that the applicant is requesting a Conditional Use Permit (CUP) to tie a new septic system to an existing accessory structure on a backlot on Maple Lake.

Ordinance requirements for this request are found in PCZO Section 18.2225 E.

Snyder said the applicant owns a riparian and non-riparian lot on Maple Lake. The total non-riparian lot (backlot) size is 75' x 80' and is approximately 4,792 sq ft in size. The applicant's proposing to have a bathroom in the existing shed and noted on the application that there will be no bedrooms or that the structure will not function as a guest house. He also stated that the use of the shed was for a shop/office. The applicant would like to connect a new septic system to the accessory structure and our office has received the septic design for the proposed septic holding tank.

Snyder stated that the existing accessory building seems to have predated the ordinance for permitting purposes as it was constructed over 30 years ago according to the applicant. The structure appears to meet all structural setbacks and the new proposed septic tank should as well. The existing impervious coverage factoring in the portion of the existing concrete/garage that is on the parcel is approximately 29% impervious coverage. Stormwater rules state that 25% impervious or under is allowed on any parcel. The septic system request will not add any

additional impervious coverage. The applicant will be required to complete and record a no guesthouse waiver before the building permit is issued, if the CUP is approved.

Snyder said that Stephanie Klamm, MNDNR Area Hydrologist stated that the primary reason for shore land controls is to protect water quality by retaining vegetation and riparian habitat. Shore land regulations seek to minimize erosion and sedimentation into public waters by limiting density and impervious surfaces. She adds if the County approves this application, the DNR would recommend the following conditions:

1. No living/sleeping quarters or kitchen facilities shall be added to the accessory structure in the future.
2. Future buildings on the parcel meet all setbacks, height restrictions and impervious surface coverage of 25%, this may mean that future projects only allow pervious pavers.
3. Any bare ground be planted with perennial vegetation, preferably natural vegetation.
4. All future structures and associated septic systems do not block or change natural drainage way on the above-mentioned parcel.

Snyder stated that Maple Lake Improvement district has no issues with the proposed request. Snyder then went over slides showing: DNR letter, application, map that was sent with the notice (shows the incorrect property lines) corrected property line map, sketch and photos of the property.

Snyder said that staff recommends approval of the CUP with the following conditions:

1. No guest house uses – applicant shall have furnished evidence of having recorded the signed guest house waiver with the property deed before the building permit is issued.
2. The Planning & Zoning office must receive/approve a septic design for the proposed septic system prior to issuing the land use permit.
3. No future development shall be allowed on the lot that would further exceed the 25% impervious surface requirement. This shall include sidewalks, patios, pavers, etc.
4. The proposed septic holding tank should be placed on the parcel to meet all applicable setbacks. If this is spatially not possible than the conditional use shall be void.
5. The conditional use permit shall become void one year after it was granted unless used.
6. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
7. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
8. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
9. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
10. That adequate measures have been or will be taken prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and

to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

11. That the use of the property shall at all times be in compliance with all Federal, State of Minnesota and County of Polk rules and regulations.

Powers opened the meeting to questions from the board. Snyder asked Tracy Roche if the office/shop was for a business? Roche said it would be for personal use only. Gagner asked about additions to the garage? Roche said no, it has already been plumbed for the septic on the inside.

Schulz made a motion to recommend approval with staff conditions to the County Board.

Second by Gagner.

Ayes: All

Nays: None

Motion carries. Snyder said that this will go before the County Board for final approval on Tuesday, July 27, 2021. Snyder informed the applicant there should be no reason for them to attend that meeting.

Next meeting is set for August 27, 2021. Meeting adjourned at 9:16 am.