

CITY OF FIFTY LAKES
MINUTES OF THE PLANNING COMMISSION/BOARD OF ADJUSTMENT
March 3, 2009

The City of Fifty Lakes Planning Commission/Board of Adjustments monthly meeting was held on Tuesday, March 3, 2009 in the City Hall at 7:00 p.m. The following officers were present: Judy Hansen, Chairperson, Duey Bendt, Tim Anick, Jack Riordan, Members. Gordy Reller, Planning & Zoning Administrator, Ann Raph, Deputy Clerk and 3 residents. Meeting was called to order at 7:00 p.m. Chairperson Hanson called the public hearing to order.

Condition Use Permit CUP CU-01-09. Re: 221-480-010-060-009. Applicants John and Cathy Mahr are requesting a CUP to operate a retail store in a structure located on Lot 6, Harlan's Way, Section 25 in Fifty Lakes. Property address is 17372 CSAH 1 in Fifty Lakes. CUP application also includes signage on said property. Gordy Reller presented staff comments. The applicants, John and Cathy Mahr, were present for questions. **MOTION MADE BY MR. RIORDAN AND SECONDED BY MR. ANICK TO APPROVE THE CONDITIONAL USE PERMIT CUP 01-2009 PART A WITH THE FOLLOWING CONDITIONS:**

1. DEEP WELL TO BE INSTALLED AND PLUMBED INTO EXISTING STRUCTURE BEFORE BUSINESS IS IN OPERATION.
2. HOURS OF OPERATION SHALL BE LIMITED FROM 5AM TO 10PM SEVEN DAYS A WEEK.
3. OUTDOOR DISPLAY (SEASONAL OR PERMANENT) SHALL NOT EXCEED TEN (10) PERCENT OF THE GROSS FLOOR AREA OF THE PRINCIPAL BUILDING OR 75 SQUARE FEET, WHICHEVER IS LESS.
4. NO MORE THAN TWO VEHICLES (INCLUDING BOATS) SHALL BE STORED OUTSIDE. STORAGE AREA TO BE SCREENED SO AS NOT VISIBLE FROM CSAH 1.
5. ALL OPERATIONS AND USAGE TO BE COMPLIANT WITH ORDINANCE IN 02-01.
6. TRASH AREA TO BE SCREENED OR LOCATED SO AREA IS NOT VISIBLE FROM CSAH 1.
7. OWNER TO OBTAIN APPROPRIATE DNR OR MINNESOTA LICENSES FOR SELLING AND/OR TRANSPORTATION OF BAIT.

When polled: All members voted aye. Motion carried.

MOTION MADE BY MR. RIORDAN AND SECONDED BY MR. BENDT TO APPROVE THE CONDITIONAL USE PERMIT CUP 01-2009 APPLICATION PART B WITH THE FOLLOWING CONDITIONS:

1. MAXIMUM SIZE OF SIGN TO BE 44" H X 91" W.
2. ALL SIGNS MUST BE COMPATIBLE WITH ORDINANCE IN 02-01.
3. WALL SIGN (IF CONSTRUCTED); WILL HAVE A MAXIMUM SIZE OF 3' X 5'.
4. IF MORE THAN ONE SIGN IS USED, ALL SIGNS SHALL BE CONSTRUCTED OF SAME MATERIALS AND LETTERING. THE MAXIMUM NUMBER OF ALL TYPES OF SIGNS SHALL BE TWO.
5. HEIGHT OF SIGN SHALL BE MEASURED FROM SURROUNDING GROUND AREA - NOT FROM THE TOP OF A "MOUND".
6. LIGHT SOURCE ON ROAD SIGN SHALL BE DIRECTED DOWNWARD. ADDITIONAL LIGHTING SHALL BE HOODED AND DIRECTED SO LIGHT SOURCE WILL NOT BE SEEN FROM THE RIGHT-OF-WAY OF CSAH 1.

When poll: All members voted aye. Motion carried.

MOTION MADE BY MR. BENDT AND SECONDED BY MR. ANICK TO ADJOURN THE PUBLIC HEARING AT 7:23 P.M. When polled: All members voted aye. Motion carried.

MOTION MADE BY MR. ANICK AND SECONDED BY MR. RIORDAN TO APPROVE THE MINUTES OF THE FEBRUARY 12TH, 2009 REGULAR MEETING AS AMENDED.

When polled: All members voted aye. Motion carried.

Gordy received a request from Andrew & Jane Mellas to extend their variance request beyond the 60 days allowed. Discussion followed. MOTION MADE BY MR. BENDT AND SECONDED BY MR. RIORDAN THAT THE CITY ACKNOWLEDGES THE REQUEST FROM THE MELLA'S FAMILY TO EXTEND VARIANCE V-01-09 APPLICATION AN ADDITIONAL 60 DAYS, TOTALING 120 DAYS, TO COMPLY WITH STATE STATUTE 15.99 AND TO ACCOMMODATE THE MELLA'S FAMILY. When polled: All members voted aye. Motion carried.

Unfinished Business:

Mr. Bendt spoke to the commission members about the importance of their role in city government as a commission member.

Discussion held on absences at commission meetings. Duey will take the recommendation to the council that they appoint another alternate for the balance of the year 2009.

MOTION MADE BY MR. BENDT AND SECONDED BY MR. ANICK TO NOMINATE JUDY HANSEN FOR CHAIRPERSON. When polled: All members voted aye. Ms. Hansen abstained. Motion carried.

MOTION MADE BY MR. BENDT AND SECONDED BY MR. RIORDAN TO NOMINATE TIM ANICK FOR VICE CHAIRPERSON. When polled: All members voted aye. Mr. Anick abstained. Motion carried.

Tim Anick would like to attend a Land Use Workshop on April 8th, 2009 in Little Falls. Jack Riordan would like to attend MN Waters workshop in Rochester May 6, 7, 8, 2009.

Commission reviewed the revisions to the planning commission duties and this will go to the council for approval.

Gordy presented information from local cities and counties on their definitions of accessory/temporary structures. The commission agrees that the issue of accessory/temporary structures needs attention in the cities ordinance. Gordy will take this to the city council.

Jack informed the commission on what was discussed at the MPCA meeting he and Gordy attended.

Gordy stated that a meeting took place with a Crow Wing County Engineer and city officials regarding a storm water plan for the intersection of Hwy 1 & 3. The County will be working on a plan and get back to the city late April or early May. Gordy also stated that an individual will be going to the March 10th city council meeting to discuss possibly purchasing the corner lot from the city and developing a restaurant/convenience store.

Citizens Forum: None

Adjournment: MOTION MADE BY MR. BENDT AND SECONDED BY MR. ANICK TO ADJOURN.

When polled: All Commission Members present voted aye. Motion passed.

Meeting adjourned at 8:21 p.m.

Ann Raph, Deputy Clerk