

CASS COUNTY
PLANNING COMMISSION (PC)

Cass County Courthouse
February 24, 2004

Wetzel convened the meeting at 7:33 p.m.

Present: Bill Bernhagen, Harold Brace, Jim Dowson, Bill Fitch, Will Pehling, Jeff Peterson, Susan Sundberg, Jim Weizenegger, and Mike Wetzel.

Staff: Paul Fairbanks

Citizens Present: Craig Anderson, Doris Bergstrom, Art Becker, Robert Berg, Rosemary Berg, Scott Boie, Louise Boutrell, Pat Butler, Gerry Campbell, James Cournoyer, Greg Duerr, Toni Duerr, Tony Duerr, Terry Freeman, Ron Geiser, Scott Gustafson, Joe Haney, Darrel Holtz, Lee Johnson, Bob Klenk, Dodie Klenk, Scott Kopendrayer, Curtiss Krantz, Larry Miller, Roger Mustonen, Lloyd Peterson, Steve Peterson, Scott Seeley, Deb Shetka, Ron Stachura, Sandy Stachura, Jackie Trott, Don Waldera.

MS/P Brace/Pehling/Unanimous to approve the minutes of the 1/27/04 meeting as presented.

Reclassification Applications

Becker, Arthur & Carol, Fairview Township, RP04-134-30-1 on property described as: Pt of S 1/2 of NE 1/4 of NW 1/4, Section 29-134-30, PID # 14-129-2106. An application submitted to reclassify from Agriculture/Forestry (AF) to Rural Residential 2.5 (RR-2.5).

The area requested in the application contains 10.1 acres in the non-shoreland area located west of CSAH # 1 less than a half mile south of the junction with CSAH # 34. The site inspection was 2/17/04. More than 25 notices of the application were mailed. No responses were received. The application was discussed and reviewed with Mr. Becker.

MS/P Brace/Fitch/Unanimous to approve the application for reclassification as submitted based upon review and compliance with the criteria established in Sections 705 and 900 of the Land Use Ordinance with the following condition.

Condition:

1. Access to all future lots must be from the existing driveway access to CSAH # 1.

Trott, Jackie, Home Brook Township, RP03-135-30-1 on property described as: Gov Lot 4, Section 2-135-30, PID # 17-002-2200. An application submitted to reclassify from Agriculture/Forestry (AF) to Rural Residential 5 (RR-5).

The applicant has a purchase agreement for the property contingent upon approval of her application. The area requested in the application contains 40 acres in the non-shoreland area located about a mile east of CSAH # 1 along the south side of 72nd St SW. The site inspection was 2/17/04. 18 notices of the application were mailed. One

response opposed to the application was received and read aloud for the taped record. The application was discussed and reviewed with Ms. Trott.

MS/P Dowson/Pehling/Unanimous to table consideration of the application as requested by Ms. Trott in order for her to consider other minimum lot size options.

Conditional Use Permit (CUP) Applications

Campbell, Gerald & Michael, Home Brook Township, CU04-135-30-1 on property described as: SE ¼ of Gov Lot 1, Section 4-135-30, PID # 17-004-1101. An application submitted to expand the existing business structure to include storage and office space. The parcel is the location of an existing business known as C-B Movers. The property is located in the non-shoreland area on the west side of CSAH # 1 less than a mile north of the junction with CSAH # 29.

PC members were at the site 2/17/04. 20 notices of the application were mailed. No responses were received. The application was reviewed with Mr. Gerald Campbell.

MS/P Brace/Sundberg/Unanimous to approve the application as submitted based upon review and compliance with the criteria established in Section 704 of the Land Use Ordinance.

Duerr, Gregory, Birch Lake Township, CU04-140-30-1 on property described as: SW SE Less to State For Hwy, Section 32-140-30, PID # 05-032-4300. An application submitted to construct a rental storage building facility to be constructed in several phases. The parcel is located within the non-shoreland area.

The parcel currently contains about 40 acres. The storage buildings will be located less than one mile east of TH # 371 on the north side of CSAH # \$5. PC members were at the site 2/17/04. More than 25 notices of the application were mailed. One response questioning the accuracy of the survey of the applicant's east boundary line was received and read aloud for the taped record. The application was discussed and reviewed with Mr. Duerr.

MS/P Dowson/Brace/Unanimous to approve the application as submitted based upon review and compliance with the criteria established in Sections 704 of the Land Use Ordinance and the following condition.

Condition:

1. The grading plan prepared by SEH dated 2/2/04 is adopted for implementation.

Freeman, Gerald, Shingobee Township, CU04-142-31-1 on property described as: Pt of SE SW & Pt of Gov Lot 5, Section 27-142-31, PID # 38-127-3113. An application submitted to establish a commercial use and construct a building for T & C Excavating. The property is located in the non-shoreland area (RR-2.5).

The site contains 3.43 acres along TH # 34 west of the junction with Lake May Road. PC members were at the site 2/17/04. More than 40 notices of the application were mailed. Nine responses all opposed to approval of the application were received.

MS/P Brace/Pehling/Unanimous to table consideration as requested by the applicant in order for options for access to the property be obtained.

Final Plats

"Horseshoe Bay CIC", Turtle Lake Township, PL03-142-30-1 on property described as: Part of Gov Lot 4, Section 22-142-30, PID # 45-122-3301. The owners and developers are Ronald and Sandra Stachura, Walker, MN. The surveyor is Landecker & Associates, Walker, MN. The final CIC consists of eight condominium units. The parcel is within the shoreland area of Leech Lake which is classified GD.

The preliminary plat and CUP were approved 1/28/03. 16 notices of the final plat were mailed. One response in regard to Hawthorne Trail was received and read aloud for the taped record. The County Surveyor reported the final CIC plat as compliant with the requirements of his office. Ron Stachura and Terry Freeman appeared to present the application. Freeman reviewed and discussed tier density, size of the proposed units, building location and configuration, floor plan, setbacks, wastewater treatment, detached garages, road reconfiguration and shoreland vegetation of the proposed project.

MS/P Brace/Butler/Unanimous to approve "Horseshoe Bay CIC" based on the review and compliance of the final plat with Article 7 of the Subdivision and Platting Ordinance.

"Taylor Timber", Wabedo Township, PL03-140-28-8 on property described as: Part of Gov Lot 3, Section 23-140-28, PID # 46-023-3206. The owner is Chris Fritch, Coon Rapids MN. The developer is T & T Northern Development, Ramsey, MN. The surveyor is Terry Freeman, Landecker & Associates, Walker MN. The preliminary plat consists of six residential lots with a total area of 29.62 acres more or less. The proposed plat is within the shoreland area of Little Boy Lake which is classified Recreational Development (RD).

PC members were at the site 11/18/03 and the preliminary plat was approved 11/25/03. The County Surveyor reported the final plat compliant with his review. 45 notices were mailed. No responses were received. The members reviewed the plat with Mr. Freeman.

MS/P Sundberg/Brace/Unanimous to approve the final plat of "Taylor Timber" based on review and compliance with Article 7 of the Subdivision and Platting Ordinance.

Preliminary Plats

"Bear Path Village", Shingobee Township, PL 2-2004 & CU03-142-31-7 on property described as: PT of NW SW & Pt of SW SW, Section 26-142-31, PID # 38-126-3301. The owners and developers are Deanne and Scott Koppendrayer, Walker MN. The surveyor is Arthur Larson, Northwest Surveying and Engineering, Inc., Bemidji MN. The preliminary plat consists of 13 residential lots and two outlots. Outlot A for a walking path and Outlot B for a commons area. The total area is 18.98 acres more or less. The proposed plat is located in the non-shoreland area.

The CUP for the road was tabled during the 12/16/03 meeting. PC members were at the site 12/9/04. The County Surveyor reported a summary of modifications that must be completed to bring the preliminary plat into compliance with his office's approval criteria.

More than 75 notices were mailed. No responses were received. Mr. Koppendraye presented a letter requesting a plat exception along with a letter from Shingobee Township. Shingobee Township acknowledges their intent to accept 230 feet of the proposed roadway at a minimum width of 48 feet in lieu of the 66 feet required by the ordinance. The plat was reviewed with Mr. Koppendraye.

MS/P Dowson/Pehling/Unanimous to approve the preliminary plat of "Bear Path Village" with the requested exception based upon review and compliance with the criteria established in Articles 4, 5, and 6 of the Subdivision and Platting Ordinance and that all recommendations for modifications to the preliminary plat must be completed and approved by the Office of County Surveyor.

"Rivers Edge Acres", Barclay Township, PL 1-2004 & CU04-138-29-1 on property described as: NW SW & NE SW Less Pt E of Pine River, Section 17-138-29, PID #s 02-017-3200 & 02-017-3102. The owners are Joel Adkins and James Bergstrom. The developer is Taylor Investment Corp., Brainerd MN. The surveyor is David S. Landecker, Landecker and Associates Inc., Pequot Lakes MN. The preliminary plat consists of 11 residential lots, six riparian and five non-riparian, with a total area of 36.5 acres more or less. The property is located within the shoreland area of the Pine River (F).

PC field inspection was 2/17/04. The County Surveyor reported the preliminary plat in compliance with his review criteria. More than 25 notices were mailed. Four responses were received. The plat was reviewed with Mr. Freeman, Landecker & Associates Inc. and Mr. Seeley, Taylor Investments. The connection of the plat to the existing minimum maintenance township road was discussed among the members with a consensus that advice as to the road connection should be obtained from the County Attorney's Office.

MS/P Brace/Sundberg/Unanimous to table consideration of the preliminary plat of "Rivers Edge Acres" until a response is received from the County Attorney's Office.

Other Business

Correspondence received from Ski Gull and the Gull Lake Conservation requesting a revision to their CUP was reviewed and discussed. Representatives from the organizations presented their proposal for snowmobile hill cross races to be conducted March 26 – 28, 2004 from 10:00 am - 5:00 pm.

MS/P Brace/Bernhagen/Unanimous to revise CU02-134-29-1, approved 6/25/02, to revise the CUP to eliminate the ATV events with the snowmobile event and adopt the plan as presented in the correspondence with no revision to the conditions adopted 6/25/04.

MS/P Sundberg/Fitch/Unanimous at 9:04 p.m. to adjourn.

Paul Z. Fairbanks, Director ESD