

Polk County
Planning Commission
August 26, 2022

Call to Order: 9:02 A.M.

Members in Attendance - Mike Powers, Paul Jore, Rolland Gagner, Arlet Phillips, Mike Schulz, Richard Kuzel, Joan Lee, Tom Noah and Kristie Jerde

Members Absent: Len Vonasek and Don Cavalier

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

Minutes: A motion was made to approve the Planning Commission minutes from July 22, 2022 meeting by Jore. Second by Phillips. All in favor.

Public Hearing: CUP – Tony & Wanda Sorum Parcel #45.00411.00

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 construct an accessory structure 30' x 36' (1,080 sq ft) located on a riparian lot on Lake Sarah.

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

Snyder said the applicant's lot is a riparian lot on Lake Sarah approximately 54,450 sq ft in size and located in section 29 of Knute Township. A conditional use permit allows a total max of 1,600 sq ft of all accessory structures within 300 feet of Lake Sarah for parcels over 40,000 sq ft in size. The CUP request is to construct an accessory structure 30' x 36' (1,080 sq ft) in size on a riparian (frontlot) on Lake Sarah. The proposed accessory structure is planned to meet all ordinance setbacks (per PCZO 18.2211) which require 100 feet setback from the OHWL of Lake Sarah. As well as 10 ft setback from the septic tank and property line. The planned structure also meets the 20 ft setback off the septic drain field and the maximum height of the garage is 14 feet which is under the 15 ft ordinance standards.

Snyder said the garage is for personal cold storage and will not have any living or habitable space within the structure. The current impervious coverage impervious coverage with the proposed garage and planned concrete apron will be approx. 7.5% impervious surface coverage. The PCZO allows for 25% impervious coverage for parcels. The applicants also stated in meeting with P&Z staff that they are taking down minimal trees to construct the shed so ample

vegetation will remain between the shed and the lake. The planned garage location, position of the existing house, and existing tree/vegetation will screen the sheds' view from the lake. The existing septic system was installed in September of 2006, so the septic system had a septic compliance inspection on July 11, 2022 and passed the compliance evaluation.

Snyder said the following comments were received:

1. Stephanie Klamm, DNR Area Hydrologist stated the request involves construction of a new 30' x 36' garage with a 20' x 30' concrete apron on a riparian lot. 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. This riparian lot already has an existing house/garage (approximately 2,240 sq ft) by adding another 1,080 sq ft structure with the apron, the impervious surface coverage will be at 13%. The property owner should consider practices that slow down runoff on this parcel to protect water quality of the lake. 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. All existing and future buildings meet all setbacks, height restrictions and impervious surface coverage of 25%.
 3. The new accessory structure is 15 feet high or less.
 4. The new accessory structure maintains vegetative screening between the structure and the OHWL.
 5. Any bare ground be planted with perennial vegetation, preferable natural vegetation.
 6. All future structures and associated septic systems do not block or change natural drainage ways on the above-mentioned parcel.
 7. Consideration should be discussed with the property owner on an additional area for another septic system if the existing one shall fail or not meet future septic compliance.

Snyder then went over slides showing the application, location maps, septic location sketch and photos of the lot. Snyder then said Staff recommends approval with the following conditions:

1. No guest house uses – the structure shall be used for personal storage, shop or similar activity. No habitable space shall be allowed in the building including bedrooms, full kitchen facilities or space for residential living.
2. Applicant shall leave adequate trees between the structure and Lake Sarah. The vegetation shall be left to limit the structures' view from the lake during leaf-on conditions. Removal of only limited trees is planned for the garage.
3. No future development shall be allowed on the lot that would exceed the 25% impervious surface requirement. This shall include sidewalks, patios, pavers, etc.
4. The conditional use permit shall become void one year after it was granted unless used.
5. 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.
6. 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.
 7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
 8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
 9. That adequate measures have been or will be taken to 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.
 10. 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.

Schulz asked if there would be a bathroom? Sorum said it would be a garage only with no bathroom.

A motion was made by Schulz to recommend approval of the CUP with staff conditions. Second by Jerde.

Ayes: All

Nays: none

Motion carries.

Snyder stated that this will now go before the County Board for final approval on September 6, 2022. Lee said the applicant would not need to attend that meeting.

Old/New Business:

Snyder updated the Commission on the FCCC shooting range. They had 4 corrective actions that needed to be taken care of by August 24, 2022, signage, security fencing, fencing and gates. They have done the 4 items and Snyder was out to the site and verified that they were completed on Aug 5, 2022. Snyder showed the group a sketch and photos of the completed requirements.

Snyder then said that Viking Gas Transmission Co has contacted our office regarding a proposal to extend the existing pipeline with a new pipeline to connect existing valves in Polk County. In 1997 the County Board chose to waive the requirement for a CUP hearing as the FERC permitting process was detailed, where the County has little expertise in a project of this magnitude. However the plans are to stockpile the supplies at the VGT headquarters in Tabor Township and that would require an Interim Use Permit or Conditional Use Permit.

Next meeting is set for September 23, 2022. Meeting adjourned.