

Zoning and Subdivision Ordinance Advisory Committee
April 17, 2014

Present: Jerome Flottemesch, Mandy Erickson, Dave Knopf, Roy Smith, John Staldine, Marsha Watland, Larry Knutson, Ray Vlasak, Barry Nelson, John Postovit, Harry Johnston, Don Lefebvre, Ed Clem, Peter Mead, Claire Olson, Patty Swenson and Debi Moltzan.

Flottemesch called the meeting to order at 8:30 am with introductions of the members to the new SWCD staff member, Claire Olson.

Setback Average Plus 20 feet. A lot of discussion has been held on this this subject, good and bad. A decision must be made as to whether or not to leave it as is or change it and what it should be changed to. Swenson explained that if the Board of Adjustments is continually granting variance for the same thing, then the County should look at amending the Ordinance so that not as many variances are granted.

Knopf stated that at the time the setback average plus 20 feet was passed, he made the original motion, but he was new on the Board and really didn't understand the ramifications and now realizes that it was probably a mistake to approve the setback average plus 20 feet.

Postovit stated that COLA is opposed to going back to the old stringline. Clem stated that he saw both the pro's and the cons of the issue, but the stringline does not move structures back, maybe the setback average plus 10 feet would be more appropriate. Further discussion was held regarding moving structures back; replacing structures in the same location at the same size; long lasting implications; formulas for other alternatives; and the Board of Adjustments thoughts on the stringline.

Smith felt that setback averaging should be used to determine the new setback rather than the stringline. This way would be fairer when dealing with peninsulas and bays and could push structures slightly further from the lake than the stringline.

Knopf made a motion to change the setback average plus twenty (20) feet regulation back to the stringline regulation. Lefebvre second. All in favor except Vlasak. Majority in favor. Motion carried.

Lot sizes on Natural Environment Lakes. Smith explained his concept about minor subdivisions on natural environment lakes. Smith stated that this concept would allow someone with a tract of land that is too small to divide into two lots according to the county's size requirements to still subdivide the property into two tracts.

Discussion was held regarding why the county's regulations for subdivision on natural environment lakes is more stringent than the State's; why the need to allow a subdivision of this type; this type of subdivision may only increase the proposed subdivision by one lot; that this only applies to the original subdivision and not future and further subdivision.

Johnston made a motion to approve the concept of the minor subdivision on the natural environment lakes, allowing one extra lot than what would be allowed under the current regulation; the Zoning Office is come up with the final wording of the concept and that parcel size is based off the parcel size of 4/16/14. Lefebvre second. All in favor. Motion carried.

Acreage across the road not to be used in impervious lot coverage. Johnston felt that when a person owns property on two sides of the road, the back lot should not be included in the lot area for calculating impervious lot coverage and then placing all the impervious coverage on the lake side.

Moltzan explained that the Zoning Ordinance already states that the back lot cannot be used in the calculations for impervious lot coverage. However, there are two or three old plats that were platted with the road running through them and the lot is one lot and the instance that Johnston was referring to fell into that category.

Discussion was held as whether or not to worry about this issue since it does not affect too many properties.

Vlasak made a motion to change the ordinance to disallow the use of any property across the road, no matter what the circumstance, to be used in calculating lot area and impervious lot coverage and have the Zoning Office come up with the proper language. Johnston second. All in favor. Motion carried.

Mitigation. A proposal was presented to allow all the current forms of mitigation to be counted either as points for setback or for impervious coverage. Swenson stated that she understands that mitigation will not go away, but it is very time consuming and there is a need to simplify the procedure.

Discussion was held regarding the types of mitigation available; which mitigation should offset setback and which should offset impervious; what other types of mitigation could be used; site specific needs; who has the expertise; how many mitigation projects SWCD did last year; how many permits were issued with mitigation as a stipulation; should all mitigation go through SWCD before permit issued; inspections and certificates of completion.

After much discussion, consensus of the group was to form a subcommittee to further look at mitigation. The subcommittee will include: Swenson (and Zoning); Staldine; Postovit; Mead (and SWCD); Siira; and Vlasak.

At this time, Knopf made a motion to adjourn the meeting. Knutson second. All in favor. Motion carried. Meeting adjourned at 10:15 a.m.

The next meeting is tentatively scheduled for May 15th, 2014 from 8:30 am until 10:30 am.

Respectfully submitted,
Debi Moltzan