

**CITY OF CROSSLAKE
CITY COUNCIL
SPECIAL MEETING AND PUBLIC HEARING
6:00 P.M., MONDAY, MAY 8, 2006
CITY COUNCIL CHAMBERS, CITY HALL
MINUTES**

MEMBERS PRESENT: Honorable Mayor Jay Andolshek and Councilmembers Terry Curtis, Dean Eggena, Dick Phillips, and Dean Swanson.

OTHERS PRESENT: Tom Swenson, City Administrator; Kenneth Anderson, Community Development Director; Jim Perry, Planner/GIS Coordinator; Paul Sandelin, City Attorney; and David Reese, City Engineer.

REGULAR MEETING/CALL TO ORDER: Mayor Jay Andolshek called the Special Meeting and Public Hearing to order at 6:00 p.m.

PUBLIC HEARING:

1. Appeal 2006-001, Shannon Brusseau

Community Development Director Kenneth Anderson stated that the application was an appeal of the Planning and Zoning Commission's decision to deny Variance 2006-001, an application to construct a 30 ft. by 50 ft. garage 20 feet from the rear lot line and 10 feet from the side lot line versus the required 30-foot rear yard and 20-foot sideyard setbacks in the R-1, Low Density Residential zoning district. He stated that the Commission denied the application by a 3-2 vote on the basis that the applicant did not show a valid hardship. Anderson added that the R-1 district allows accessory structures up to 1,500 square feet and noted that the Commission did approve a conditional use permit to construct the building at a height of 16.5 feet to the midpoint of the roof. Anderson also noted that at one time there was an attached garage on the property, but the garage was converted into living space as part of the principal structure. Anderson also referenced the staff report that presented several letters of support for the project, one letter of opposition, and an explanation of the rationale for the appeal in a letter from the applicant. He also reminded Councilmembers that all variance criteria must be met in order to approve the variance and appeal.

The applicant, Shannon Brusseau, was present and stated that he was not aware of any opposition to the project. He stated that the existing configuration of the lot, along with the location of trees, makes it difficult to get a pontoon into a garage that meets all setback requirements. He also noted that when he bought the property, he was told that he was guaranteed docking rights, which were later taken away due to enforcement action by the Crow Wing County Sheriffs Office against the Waterwood Association. Brusseau also stated that he would lose eight (8) or nine (9) large trees if he had to move the proposed building to meet the sideyard setback.

Dick Phillips asked the applicant if he planned to construct a driveway to the proposed structure. Brusseau stated that he would like a driveway, but may not be able to, due to the high impervious coverage on the property. Phillips also noted the possibility of using

a smaller vehicle such as a four-wheeler to move the pontoon so that the building could be constructed within the building envelope.

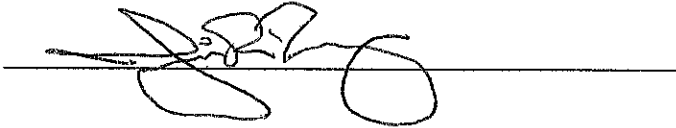
Terry Curtis stated that he felt all ordinance setback requirements can and should be met and that no hardship exists for the applicant. He added that the addition to the home is what created the lack of space in which to move the pontoon. Dean Swanson also noted that if the structure were to be built in the building envelope, there would still be sixty feet (60) of space between the home and garage in which to maneuver the pontoon.

Arnold Bustad, 37358 Waterwood Court, was present and noted his support for the variance, stating that although his property borders the Brusseau property to the west, the structure would not be visible from his property.

The issue was briefly discussed with agreement that a decision will be made during the Critical Issues portion of the agenda for the Regular City Council Meeting beginning at 7:00 p.m., May 8, 2006.

**ADJOURN: MOTION 05PH1-01-06 WAS MADE BY DEAN EGGENA,
SECONDED BY DICK PHILLIPS TO ADJOURN THE PUBLIC HEARING AT 6:25
P.M. MOTION CARRIED WITH ALL "AYES."**

Minutes Respectfully Prepared by Jim Perry.

A handwritten signature in black ink, appearing to read "Jim Perry", is written over a horizontal line. The signature is stylized and cursive.