



Cass County
Planning Commission/Board of Adjustment

April 13, 2015

The Cass County Planning Commission/Board of Adjustment conducted a regular meeting April 13, 2015 in the meeting room of the Cass County Land Department in Backus. The field inspection for the meeting was conducted from 8:30 AM to 5:30 PM April 6, 2015 covering 220 miles with PC members Fitch, Froehlig, Kostial, Moore, Pehling and Sundberg along with ESD staff Berg, Fairbanks and Ringle in attendance.

Sundberg called the meeting to order at 9:30 a.m.

Members present: Fitch, Froehlig, Kostial, LaPorte, Moore, Pehling and Sundberg.

Staff Present: Berg, Fairbanks and Ringle.

Citizens Present: Mark Cates, Laurie Chapman, Blythe Daug, John Daug, Tom Gregerson, Sandy Gregerson, Dennis Lillyquist, Lois Groth, Ron Groth, Derrick Hawkinson, Tom Lund, Terry Nagorski, Betty Perry, Dick Perry, Randy Reemts, Bryan, Reitzner, Jay Riffle, Mike Schmidtke, Rick Smith, Cathy Stypula, Gary Stypula, Doug Zwack, and Joe Zwack.

MS/P Kostial/Pehling to approve the minutes of the 03/09/15 PC/BOA meeting as presented.

Variance

Cates, Mark, Ponto Lake Township on property described as Lot 3, Block 1, "Clearwater Haven", Section 29-139-29, PID #32-449-0130 located at 686 Middleton Drive NW. An application submitted to exceed the maximum square footage accessory allowed based on lot size. Based on lot size the applicant may have a maximum of 1,800 square feet of detached accessory structure. The parcel contains a 1,120 square feet accessory structure which leaves a remainder of 680 square feet. The applicant proposes the addition of a 1,530 square feet structure which will exceed the maximum allowed by 850 square feet. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria and Section 1001 which establishes maximum detached accessory structure square feet allowed based upon lot size. The parcel contains 1.58 acres riparian to Lake Ada (RD).

The members were at the site 04/06/15. 26 notices of the application were mailed. One response objection to approval of the application was received. The application was reviewed with Mr. Cates.

MS/P Fitch/Moore to deny the application to exceed the maximum square footage detached accessory structure based upon lot size proposed for PID #32-449-0130 upon review of the criteria contained in Section 800 of the Land Use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings:

Findings:

1. Applicant proposes to exceed maximum detached accessory storage square footage allowed per lot size in order to provide secure storage for an RV vehicle.
2. Another detached accessory structure of 680 square feet could be construction as allowed by permit.
3. The applicant owns addition property containing 72 acres .25 mile south of the residence PID #32-449-0130 on the west side of the right-of-way of MN #84.
4. A suitable building envelope in compliance with required accessory structure density standard would allow for construction in harmony with the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.
5. Because a suitable area is available in close proximity that would allow for unlimited accessory structure square footage, additional detached storage structure can be constructed in compliance with land use standards by permit which does not contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.
6. There is no evidence or information that the lot, which was platted in 1994 and contains 1.55 acres, contains factors or circumstances unique to the property not created by the landowner that rise to the level of allowing a variance.
7. The basis of the allowed detached accessory structure square footage limits is to prevent construction that could alter the essential character of a residential locality.

Chapman, Lee, Trustee, Ponto Lake Township on property described as Lot 3, "Kinne Camp", Section 16-139-29, PID #32-412-0030 located at 1222 15th St NW. An application submitted to replace an existing non-conforming at current footprint dimensions with an increase in roof height and volume. The residence is non-conforming because it is located 47 feet from the lake. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria, Section 1115.3 which establishes the non-conforming structure expansion criteria and Section 1126.1 which requires structures to be setback 100 feet from a lake classified Recreational Development (RD). The parcel contains .17 acre riparian to Ponto Lake (RD).

PC members were at the site 04/06/15. 47 notices of the application were mailed. Four responses supporting approval of the application along with one responses objecting to approval

of the application were received. Application review and discussion with the applicant's representatives, Ms. Chapman and Mr. Smith, included setback from the common boundary line of Lots, 2 and 3, width of Lot 3, footprint of the proposed replacement structure and height to peak of the proposed replacement structure.

MS/P Pehling/LaPorte to table consideration of the application until the 05/11/15 meeting in order for the applicant to consider replacement structure configuration as it will relate to setback requirements.

Daug, John, Shingobee Township on property described as Lot 9, Block 1, Outlots B & C & Undivided Interest in Outlot A, "Rolling Hills", Section 4-141-31, PID #38-356-0190 located at 7253 6th Lake Road NW. An application submitted to locate a proposed residential addition that will be 5 feet from an existing septic tank. The relevant standards include Section 800 of the Land Use Ordinance (02/15/13) which establishes the variance criteria, Section 900 of the Subsurface Sewage Treatment System Ordinance (05/01/14) which adopts the state separation standards and M.R. 7080 .0170 which requires at least 10 feet separation from a tank to an occupied structure. The parcel contains 3.6 acres riparian to Fourth Lake (NE).

PC members were at the site 04/06/15. 18 notices of the application were mailed. One response from the Leech Lake Association recommending denial of the application was received. The application was reviewed with Mr. and Mrs. Daugs with questions as to the configuration and location of the proposed attached and future access to the tank for maintenance purposes.

MS/P LaPorte/Kostial to approve the application for tank separation from occupied structure located upon PID #38-356-0190 upon review of the criteria contained in Section 800 of the Land Use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings and conditions:

Findings:

1. The foundation of the proposed addition will not affect the structural integrity of the tank or the ability to access it for maintenance purposes.
2. The expansion will not be visible to any neighbor or the lake therefore there will be no detrimental visual impact to the surrounding area.
3. The proposed tank separation seems reasonable when taking into account the configuration of the property, the size of the lot along with the location of the residence which therefore does not necessarily contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.
4. The proposed tank separation will not alter existing waste water treatment or have potential affect public health and safety of neighboring property which therefore does not contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development,

3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.
5. Because the proposed tank separation will be at ground level and not be visible, there is no reason or evidence to conclude that area land use will be negatively affected or altered by the proposed expansion.
6. There is no reason to conclude that water quality will be in any way affected by the proposed expansion.
7. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If the following conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

NOTICE TO THE APPLICANT: No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement of either prior to issuance of a land use permit may result in withholding, withdrawal or revocation until inspection by ESD, correction of any circumstances in violation of laws or ordinances or the terms of this variance, deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures required by ESD.

Conditions:

1. The applicant must provide verification from a MPCA SSTS Licensed Profession that the location of the expansion will not hinder access to the tank or that construction will not affect the integrity of the tank.
2. The area of the attached garage expansion to the residence shall not be utilized for living space.
3. Run-off from the structure must be directed away from the area where the tank is located.
4. The dimensions and configuration of the expansion along with the distance to the tank shall not vary from that submitted 03/25/15 unless approved by ESD or if necessary, the PC/BOA.
5. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
6. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control no later than a date determined by ESD.

7. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.

8. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Groth, Ronald, Ponto Lake Township on property described as Lots 6 & 7, "East Shore", Section 10-139-29, PID #32-381-0060 located at 1689 East Ponto Lake Road NW. An application submitted to expand a non-conforming residence with an 18 feet x 20 feet addition 65 feet from the lake. The residence is non-conforming because it is located 65 feet from the lake. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria, Section 1115.3 which establishes the non-conforming structure expansion criteria and Section 1126.1 which requires structures to be setback 100 feet from a lake classified Recreational Development (RD). The parcel contains .44 acre riparian to Ponto Lake (RD).

PC members were at the site 04/06/15. 33 notices of the application were mailed with no responses received. The application was discussed and reviewed with the applicants primarily devoted to their desire for the proposed expansion to contain an upper level.

MS/P Moore/Fitch to table consideration of the application until the 05/11/15 meeting in order for the applicants to consider other possible expansion options.

MS/P Moore/Pehling to rescind the motion to table as requested by the applicants in order to consider the location for the expansion as submitted sans upper level.

MS/P Moore/Kostial to approve the expansion dimensions as submitted to expand the non-conforming residence located upon PID #32-381-0060 upon review of the criteria contained in Section 800 of the Land Use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings and conditions:

Findings:

1. The property was platted in 1924, contains .44 acre and measures 168 feet in depth from the lake to the platted right-of-way E Ponto Lake Road.
2. There is no record in the permit archive of the original construction and it is presumed that was more than likely prior to the adoption of land use regulation in 1972.
3. The proposed new construction will include modest expansion of the existing footprint to the residence that will not increase the existing setback encroachment nor higher than the current height to peak or alter the view of the residence to the lake which seems reasonable when

taking into account the current setback and configuration of the residence which therefore does not contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.

4. The proposed residence expansion which will be located at the current lake setback and modest of size to which there is no evidence or information to establish that it will contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

5. Because the surrounding area along Ponto Lake contains similar lots and structures, there is no reason or evidence to conclude that area land use will be negatively affected or altered by the proposed construction.

6. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement prior to issuance of a land use permit may result in withholding, withdrawal or revocation of a land use permit until inspection by ESD and correction of any circumstances in violation of laws, ordinances or the terms of this variance. Deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures may be required by ESD.

Conditions:

1. The dimensions, location and configuration of the structure expansion shall not vary from that submitted with the application dated 03/17/15 unless approved by ESD or if necessary, the PC/BOA.
2. The height to peak of the expansion shall not exceed that of the residence to be expanded.
3. Approval does not allow or imply approval that the structure to be expanded can be removed by demolition or any other method from the site nor shall the structure to be expanded be reduced to "one wall".

4. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
5. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control placement prior to the commencement of construction.
6. No run-off to the lake or adjoining properties is permitted. If determined necessary by ESD, run-off shall be directed by gutters or other means to natural water retention features located upon the property or structures such as rain gardens.
7. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.
8. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Perry, Richard & Betty, Turtle Lake Township on property described as Lots 4, 5 & 6, "Blue Water Beach", Section 36-142-30, PID #45-551-0050 located at 7556 Blue Water Beach Road NW. An application submitted to locate a proposed residential addition that will be 6 feet from an existing septic tank. The relevant standards include Section 800 of the Land Use Ordinance (02/15/13) which establishes the variance criteria, Section 900 of the Subsurface Sewage Treatment System Ordinance (05/01/14) which adopts the state separation standards and M.R. 7080 .0170 which requires at least 10 feet separation from a tank to an occupied structure. The parcel contains 2.5 acres riparian to Leech Lake (GD).

PC members were at the site 04/06/15. 27 notices of the application were mailed with no responses received. The application was discussed and reviewed with the applicants centered on the foundation planned for the expansion.

MS/P Moore/LaPorte to approve the application for tank separation from occupied structure located upon PID #38-356-0190 upon review of the criteria contained in Section 800 of the Land Use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings and conditions:

Findings:

1. The foundation of the proposed addition will not affect the structural integrity of the tank or the ability to access it for maintenance purposes.
2. The expansion will not be visible to any neighbor or the lake therefore there will be no detrimental visual impact to the surrounding area.
3. The proposed tank separation seems reasonable when taking into account the configuration of the property, the size of the lot along with the location of the residence which therefore does not necessarily contradict the purpose of the Land Use Ordinance which is to protect, preserve

and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.

4. The proposed tank separation will not alter existing waste water treatment or have potential affect public health and safety of neighboring property which therefore does not contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

5. Because the proposed tank separation will be at ground level and not be visible, there is no reason or evidence to conclude that area land use will be negatively affected or altered by the proposed expansion.

6. There is no reason to conclude that water quality will be in any way affected by the proposed expansion.

7. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If the following conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

NOTICE TO THE APPLICANT: No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement of either prior to issuance of a land use permit may result in withholding, withdrawal or revocation until inspection by ESD, correction of any circumstances in violation of laws or ordinances or the terms of this variance, deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures required by ESD.

Conditions:

1. The applicant must provide verification from a MPCA SSTS Licensed Profession that the location of the expansion will not hinder access to the tank or that construction will not affect the integrity of the tank.
2. The area of the attached garage expansion to the residence shall not be utilized for living space.
3. Run-off from the structure must be directed away from the area where the tank is located.

4. The dimensions and configuration of the expansion along with the distance to the tank shall not vary from that submitted 03/25/15 unless approved by ESD or if necessary, the PC/BOA.
5. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
6. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control no later than a date determined by ESD.
7. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.
8. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Preston, David, Kego Township on property described as Lot 12, Block 1, "Maple Shores", Section 23-141-28, PID #19-424-0155 located at 1626 Maple Shores Lane N. An application submitted to locate a waste water holding tank 105 feet from the lake. The relevant standards include Section 800 of the Land Use Ordinance (02/15/13) which establishes the variance criteria and 1126.1 which requires waste water tanks and treatment systems to be located at least 150 feet from a lake classified Natural Environment (NE). The parcel contains 1.2 acres riparian to Maple Lake (NE).

PC members were at the site 04/06/15. 42 notices of the application were mailed with no responses received.

MS/P LaPorte/Fitch to approve the application to allow placement of a holding tank to be located upon PID #19-424-0155 upon review of the criteria contained in Section 800 of the Land use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings and conditions:

Findings:

1. The location of the residence at less than 150 feet from the lake was approved by VPO2-141-28-7 due to the location of a wetland.
2. The holding tank at 105 feet from the lake will not be visible to any neighbor or the lake therefore there will be no detrimental visual impact to the surrounding area.
3. The holding tank which is sealed and intended to be leak proof will have no effect to surface water or ground water quality.
4. Placement of the holding tank across the wetland raises technical construction issues as to place the pipe line to the tank through or under the wetland.
5. The proposed holding tank location seems reasonable when taking into account the configuration of the property, the size of the lot along, the location of the residence along with

the size and location of the wetland area which therefore does not necessarily contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.

6. The proposed holding tank location will not be detrimental to waste water treatment or have potential affect public health and safety of neighboring property which therefore does not contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

7. Because the holding will be at ground level and not be visible, there is no reason or evidence to conclude that area land use will be negatively affected or altered by the proposed expansion.

8. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If the following conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

NOTICE TO THE APPLICANT: No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement of either prior to issuance of a land use permit may result in withholding, withdrawal or revocation until inspection by ESD, correction of any circumstances in violation of laws or ordinances or the terms of this variance, deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures required by ESD.

Conditions:

1. The location of the holding tank shall not vary from that submitted 03/25/15 unless approved by ESD or if necessary, the PC/BOA.
2. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control no later than a date determined by ESD.
3. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.
4. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Reemt, Randy & Sara, Wabedo Township on property owned by Hostetler, Dellwood & Rosie described as Lot 9, "Austin's Wabedo Pine Crest Acres" Section 33-140-28, PID #46-480-0090, located at 2590 Pine Crest Road NE. An application submitted to expand a non-conforming residence with a 10 feet x 16 addition. The residence is non-conforming because it is located less than 30 feet from the top of a bluff and 74 feet from the lake. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria, Section 1115.3 which establishes the non-conforming structure expansion criteria and Section 1126.1 which requires structures to be setback 30 feet from the top of a bluff and 100 feet from a lake classified Recreational Development (RD). The parcel contains .35 acre riparian to Wabedo Lake (RD).

PC members were at the site 04/06/15. 34 notices of the application were mailed. One response, from Wabedo Township recommending approval was received. The request was reviewed with the applicant.

MS/P Moore/Froehlig to approve the application to expand the non-conforming residence located upon PID #46-480-0090 upon review of the criteria contained in Section 800 and Section 1115.3 of the Land use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings and conditions:

Findings:

1. The existing bluff and lake setback of the residence are less than that required.
2. The proposed addition will be non-lakeside away from the lake and bluff.
3. There is no record in the permit archive of the original construction although based on lake setback it was more than likely prior to the adoption of land use regulation in 1972.
4. The bluff setback standard was not in force when the residence was constructed.
5. The proposed addition will not increase the existing encroachment to the lake or the bluff and seems reasonable when taking into account the current setback and configuration of the residence which therefore does not necessarily contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.
6. There is no evidence or information that the proposed expansion of the residence will contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

7. The surrounding area along Wabedo Lake contains similar lots and structures and there is no reason or evidence to conclude that area land use will be negatively affected or altered by the proposed lot configuration.

8. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement prior to issuance of a land use permit may result in withholding, withdrawal or revocation of a land use permit until inspection by ESD and correction of any circumstances in violation of laws, ordinances or the terms of this variance. Deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures may be required by ESD.

Conditions:

1. The dimensions, location and configuration of the structure expansion shall not vary from that submitted 03/20/15 unless authorized by ESD or if necessary the PC/BOA.
2. The height of the addition shall not exceed existing height to peak.
3. Approval does not allow or imply approval that the structure to be expanded can be removed by demolition or any other method from the site nor shall the structure to be expanded be reduced to "one wall".
4. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
5. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control placement prior to the commencement of construction.
6. No run-off to the lake or adjoining properties is permitted. If determined necessary by ESD, run-off shall be directed by gutters or other means to natural water retention features located upon the property or structures such as rain gardens.
7. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.
8. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

9. The two non-conforming storage structures along with the platform/deck shall be removed as voluntarily offered by the applicant.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Reitzner, Bryan, Inguadona Township on property described as E 600 Feet of Govt Lot 3, Section 26-141-27, PID #18-026-3403 located at 4149 Warner Dive NE. An application submitted to expand a non-conforming residence with a 12 feet x 24 feet addition. The residence is non-conforming because it is located 95 feet from the lake. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria, Section 1115.3 which establishes the non-conforming structure expansion criteria and Section 1126.1 which requires structures to be setback 100 feet from a lake classified Recreational Development (RD). The parcel contains 10.66 acres riparian to Lower Trelipe Lake (RD).

PC members were at the site 04/06/15. 13 notices of the application were mailed. One response favoring approval of the application was received. The application was reviewed with Mr. Reitzner.

MS/P Kostial/LaPorte to approve the application to expand the non-conforming residence located upon PID #18-026-3403 upon review of the criteria contained in Section 800 and Section 1115.3 of the Land use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings and conditions:

Findings:

1. The existing lake setback of the residence is less than that required.
2. The proposed addition will be to the south side of the residence and will not increase the lake setback encroachment.
3. There is no record in the permit archive of the original construction although based on lake setback it was more than likely prior to the adoption of land use regulation in 1972.
4. The proposed addition will not increase the existing encroachment to the lake and seems reasonable when taking into account the current setback and configuration of the residence which therefore does not necessarily contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.
5. There is no evidence or information that the proposed expansion of the residence will contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

6. The surrounding area along Lower Trelupe Lake contains similar lots and structures and there is no reason or evidence to conclude that area land use will be negatively affected or altered by the proposed lot configuration.

7. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement prior to issuance of a land use permit may result in withholding, withdrawal or revocation of a land use permit until inspection by ESD and correction of any circumstances in violation of laws, ordinances or the terms of this variance. Deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures may be required by ESD.

Conditions:

1. The dimensions, location and configuration of the structure expansion shall not vary from that submitted 03/23/15 unless authorized by ESD or if necessary the PC/BOA.
2. The height of the addition shall not exceed existing height to peak.
3. Approval does not allow or imply approval that the structure to be expanded can be removed by demolition or any other method from the site nor shall the structure to be expanded be reduced to "one wall".
4. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
5. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control placement prior to the commencement of construction.
6. No run-off to the lake or adjoining properties is permitted. If determined necessary by ESD, run-off shall be directed by gutters or other means to natural water retention features located upon the property or structures such as rain gardens.
7. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.
8. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Schmidtke, Mike & Kelly/Woodland Resort, Shingobee Township on property described as Part of Govt Lot 2 & Part of NW SE, Section 7-142-31, PID #38-107-1301 located at 6930 County 38 NW. An application submitted to replace the existing resort lodge with 36 feet x 30 feet x 16 feet x 20 feet x 82 feet new construction with a 6 feet x 36 feet x 46 feet x 18 feet deck located 16 feet from the resort harbor. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria and Section 1126.1 which requires structures to be setback one half of lake setback from a harbor based upon lake classification (GD) = 75 feet x .5 = 37.5 feet. The parcel contains 19.7 acres riparian to Leech Lake (GD/WOC).

PC members were at the site 04/06/15. 29 notices of the application were mailed. Two responses, one favoring approval of the application and one from the Leech Lake Association recommending denial of the application were received. The application was reviewed with the Schmidtkes.

MS/P Kostial/Froehlig to approve the application as submitted for construction of a structure for resort related operations to be located upon PID #38-107-1301 upon review of the criteria contained in Section 800 and 1126.1 of the Land use Ordinance (02/15/13) and in M.S. 394.27, Subdivision 7 with the following findings and conditions:

Findings:

1. Cass County policy is that of support of the resort industry to thrive by reasonable ordinance development and administration that protect natural resources as well allow for healthy resorts.
2. There is no record in the permit archive of the original construction although it can be presumed it was prior to the adoption of land use regulation.
3. The harbor setback standard was not in force when the resort facility to be replaced was constructed.
4. The location of the state trail limits placement options from the harbor.
5. The proposed new construction, although larger, is virtually in the same location as that being replaced and seems reasonable when taking into account the current setback, the harbor and configuration of the resort which therefore does not necessarily contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.
6. There is no evidence or information that the proposed construction contradicts the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3.

Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

7. The resort has been active for many years and there is nothing to suggest or conclude that area land use will be negatively affected or will be altered by the replacement of the resort structure.

8. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement prior to issuance of a land use permit may result in withholding, withdrawal or revocation of a land use permit until inspection by ESD and correction of any circumstances in violation of laws, ordinances or the terms of this variance. Deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures may be required by ESD.

Conditions:

1. The dimensions, location and configuration of the structure shall not vary from that submitted 03/24/15 unless authorized by ESD or if necessary the PC/BOA.
2. The structure shall not be located any closer to the right-of-way of the state trail than the structure to be removed.
3. The height of the structure shall not exceed 20 feet to peak.
4. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
5. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control placement prior to the commencement of construction.
6. No run-off to the lake or adjoining properties is permitted. If determined necessary by ESD, run-off shall be directed by gutters or other means to natural water retention features located upon the property or structures such as rain gardens.
7. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.

8. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Stypula, Catherine & Gary, Sylvan Township on property described as N $\frac{1}{2}$ S $\frac{1}{2}$ of Lot 21, "Carlyons Sylvan Park", Section 1-133-30, PID #41-456-0215 located at 12072 W Lake Ridge Drive SW. An application submitted to enclose an existing 10 feet x 28 feet deck located 25 feet from the lake. Such enclosure is considered an addition and the residence is non-conforming because it is located 25 feet from the lake. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria, Section 1115.3 which establishes the non-conforming structure expansion criteria and Section 1126.1 which requires structures to be setback 75 feet from a lake classified General Development (GD). The parcel contains .72 acre riparian to Sylvan Lake (GD).

Consideration of this application was tabled during the 03/09/15 meeting. The applicant submitted a revised 03/23/15 to reduce the area to be enclosed from 10 feet x 28 feet to 10 feet x 16 feet. PC members were at the site 03/02/15. 34 notices of the application were mailed for both meeting. Two responses, including that of the Sylvan Township Planning Commission, both recommending approval of the application with conditions were received. The application was discussed and reviewed with the applicants.

MS/P LaPorte/ Kostial to approve the application as revised to expand the residence located upon PID #41-456-0215 upon review of the criteria contained in Section 800, 115.3 and 1126.1 the Land Use Ordinance (02/15/13) along with M.S. 394.27, Subdivision 7. With the following findings and conditions:

Findings:

1. The existing setback from the lake, 25 feet, of the residence is less than the required 75 feet.
2. The proposed enclosure of a portion of the existing lakeside deck will not increase footprint or increase the existing lake setback encroachment.
3. There is no record in the permit archive of the original construction although based on setback it was more than likely prior to the adoption of land use regulation in 1972.
4. A variance for placement of the deck was approved in 1977.
5. The proposed deck enclosure will not increase the existing encroachment to the lake or structure footprint and seems reasonable when taking into account the current setback and configuration of the residence which therefore does not necessarily contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes,

rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare.

6. There is no evidence or information that the proposed deck enclosure will contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

7. Because the surrounding area along Sylvan Lake contains similar lots and structures, there is no reason or evidence to conclude that area land use will be negatively affected or altered by the proposed lot configuration.

8. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.

NOTICE TO APPLICANT: If conditions are included no permit to implement shall be issued until:

1. ESD required and approved erosion control is installed.
2. If shoreline vegetative enhancement or restoration is required by ESD or the Planning Commission, a written plan for suitable vegetation shall be approved by ESD and agreed to be implemented by applicant.
3. At applicant's option, the vegetative plan is substantially implemented as determined by ESD or financial assurance in the amount of \$1 per square foot of the buffer area for no-mow or \$3 per square foot for all other vegetative buffers or if less 125% of the cost estimate.
4. As required by other conditions as set forth.

No site preparation or building construction shall be commenced until issuance of a land use permit. Commencement prior to issuance of a land use permit may result in withholding, withdrawal or revocation of a land use permit until inspection by ESD and correction of any circumstances in violation of laws, ordinances or the terms of this variance. Deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures may be required by ESD.

Conditions:

1. The dimensions of the structure expansion shall not vary from the revised plan submitted 03/23/15 unless authorized by ESD or if necessary by the PC/BOA.
2. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
3. ESD shall determine the need for construction erosion control and if required applicant shall install ESD approved erosion control placement prior to the commencement of construction.
4. No run-off to the lake or adjoining properties is permitted. If determined necessary by ESD, run-off shall be directed by gutters or other means to natural water retention features located upon the property or structures such as rain gardens.

5. Applicant consents to inspection of the property from time to time by ESD to verify compliance with conditions.
6. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until 04/13/17.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

Wiseman, Donald & Cheryl, Rogers Township on property described as Lot 3, "Rogers Beach, Section 22-142-27, PID #36-406-0030 located at 8395 38th Ave NE. An application submitted to expand a non-conforming residence with a 6 feet x 42 feet x 32 feet addition located on the west and south sides of the residence no closer than the existing lake setback. The residence is non-conforming because it is located 60 feet from the lake. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria, Section 1115.3 which establishes the non-conforming structure expansion criteria and Section 1126.1 which requires structures to be setback 100 feet from a lake classified Recreational Development (RD). The parcel contains .56 acre riparian to Swift Lake (RD).

Consideration of the application was tabled during the 03/09/15 at the request of the applicant's representative Mr. Riffle in order to consider possible application revision option. A revised application calling for new construction at 87 feet was received 03/24/14. PC members were at the site 03/02/15. 23 notices of the application were mailed for both meetings. One response offering no objection to approval was received. The application was discussed and reviewed with the applicants' representative/contractor Jay Riffle with discussion proposed 87 feet setback and applicant's offer to remove structure located in the setback area.

MS/Failed Moore/Fitch to deny.

M Fitch/Failed Lack of Second to approve.

M LaPorte/Withdrawn to approve.

MS/P Moore/Fitch to table until the 05/11/15 meeting in order for Mr. Riffle to consult with the applicant and for the PC to visit the site again.

Zwack, Robert, Turtle Lake Township on property owned by Robert Zwack described as Lot 1, Blk 3 & Outlot B, "Heritage Shores", Section 36-142-30, PID #45-554-0310 located at 7206 Rogers Point Road NW. An application submitted to construct a 24 feet x 30 feet residence with a 6 feet x 30 feet deck to be located on Outlot B 60 feet from the lake. The relevant portions of the Land Use Ordinance (02/15/13) are Section 800 which establishes the variance criteria and Section 1126.1 which requires structures to be setback 75 feet from a lake

classified General Development (GD). Outlot B contains about 4 acres riparian to Leech Lake (GD).

PC members were at the site 04/06/15. 29 notices of the application were mailed. Two responses, including that of the Leech Lake Association, both recommending denial of the application were received. The application was discussed and reviewed with Doug and Joe Zwack with discussion on the buildable area available upon the Outlot as well as related structure setback requirements. The application was withdrawn from consideration at the request of Doug Zwack.

Conditional Use Permit

Hawkinson Construction, Unorganized on property described as N $\frac{1}{2}$ of NE, Section 23-145-30, PID #77-023-1100. An application submitted to establish sand/gravel extraction and asphalt production facility. The relevant portions of the Land Use Ordinance (02/15/13) include Section 705 which establishes the conditional use permit review criteria and Section 1107 which establishes the extractive use criteria. The parcel contains 80.37 acres non-riparian (AF).

10 notices of the application were mailed with one response objecting to approval was received. The application was discussed and reviewed with Derrick Hawkinson.

MS/P Pehling/Kostial to approve the CUP application as submitted for PID #77-023-1100 based upon review of the criteria contained in Sections 705 and 1107 of the Land Use Ordinance (02/15/13) and in M.S. 394.301 with the following findings and conditions:

Findings:

1. It is well established that suitable sources of base material required to maintain and construct roads at all governmental levels must be available in adequate and economical quantities.
2. The proposed extractive use complies with Section 1104.9.
3. No wetland or critical habitats will be affected by the proposed land use activity.
4. No scenic or historic features will be affected by the proposed land use activity.
5. No evidence or information has been submitted to establish that the proposed land use will have a detrimental effect to public health, safety or welfare.
6. No evidence or information has been submitted to establish that the proposed land use activity has the potential to alter or be detrimental to land use in the general area.
7. Approval will not increase the need or demand for governmental services because no road improvements are required and it does not require waste water treatment.
8. Approval will not contradict the purpose of the official controls, the Land Use Ordinance, which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and also to promote the health, safety, general welfare.

9. The proposed extractive use site is more than one mile of any residence which does not contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

Conditions:

1. The operations plan submitted with the CUP application is adopted as presented and shall not be altered without the review and approval of the Planning Commission.
2. The applicant shall notify ESD of the dates and duration of all extractive use, including asphalt production, activity.
3. The applicant shall comply with all MN DOT access requirements to US #2.
4. The applicant shall obtain and maintain all applicable MPCA permits.
5. Financial assurance to Cass County for disturbed acres in the amount of \$1,500 per acre shall be submitted to ESD.
6. Unless revoked or otherwise revised by the Planning Commission this approval shall be effective as long as the site is used for the approved land use.

Little Wolf Resort, Pike Bay Township on property described as Part of Govt Lot 6, Section 6-145-31, PID #29-006-3107 located at 7170 Little Wolf Road NW. An application submitted to reclassify the parcel from Shoreland Residential (SR) to Water Oriented Commercial (WOC) in order to combine with the adjacent Little Wolf Resort. The CUP application also includes 6 RV sites, 2 Mobile Home sites and a rental unit storage building to be located on this parcel. The relevant portions of the Land Use Ordinance (02/15/13) include Section 1000 which establishes lands use districts, Section 1104.0 which establishes resort criteria and Section 705 which establishes the conditional use permit review criteria. The parcel contains 40.78 acres non-riparian within the shoreland area, $\frac{1}{4}$ mile, of Little Wolf Lake (RD).

PC members were at the site 04/06/15. 27 notices of the application were mailed with no responses received. The application was discussed and reviewed with the owners/operators Sandy and Tom Gregerson.

MS/P Froehlig/Fitch to approve the CUP application as submitted for WOC classification as well as the requested RV and MH sites for PID #29-006-3107 based upon review of the criteria contained in Sections 705, 1001 and 1104 Land Use Ordinance (02/15/13) and in and in M.S. 394.301 with the following findings and conditions:

Findings:

1. As best can be determined the property has been operated as a resort since before land use regulation.
2. The area requested for reclassification to WOC lies directly across Little Wolf Road and will become part of the resort operation.

3. There is no evidence to conclude that over the years of operation that the resort has adversely affected adjoining property.
4. The resort clientele is temporary and transient which most likely will have no impact to public facilities such as schools and parks.
5. The resort utilizes existing township and state roadways that will not require expansion or reconfiguration therefore additional public infrastructure will not be required.
6. No wetland or critical habitat will be disturbed by platting or potential expansion.
7. No scenic or historic features will be affected by platting or potential expansion.
8. No threat to public health, safety and welfare can be expected from platting or potential expansion.
9. Waste water treatment complies with applicable county and state standards with no public infrastructure required.
10. There is no evidence or reason to expect that platting or potential expansion will adversely affect adjoining property.
11. The resort complies with the resort RD density standards and shall remain so provided resort licensing and Water Oriented Commercial (WOC) are maintained.
12. The expansion does not reach the mandatory EAW review standards.
13. No evidence or information has been submitted to establish that the proposed WOC land use will have a detrimental effect to public health, safety or welfare.
14. No evidence or information has been submitted to establish that the proposed WOC land use activity has the potential to alter or be detrimental to land use in the general area.
15. Approval will not contradict the purpose of the official controls which are to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and also to promote the health, safety, general welfare.
16. The proposed use will not be obtrusive to the neighborhood and does not contradict the purpose of the comprehensive plan which is to 1. Provide a rational basis to make difficult land and resource decisions wisely, 2. Eliminate the conflicts caused by unplanned development, 3. Improve coordination and communication between county, local governments and the citizens in land use planning, and 4. Protect the County's natural resources from degradation.

Conditions:

1. All applicable permits and/or licenses must be obtained.
2. Unless revoked or otherwise revised by the Planning Commission this approval shall be effective as long as the site is used for the approved land use.

Other Business

Septage Application Sites. MS/P Moore/Fitch that ESD shall prepare for PC review possible Land Use Ordinance and SSTS Ordinance revisions at a meeting to be determined.

Review PC Rules of Business. Kostial submitted several possible revisions to which staff was directed to prepare a document containing current and proposed revision language for review at a future meeting.

MS/P Pehling/Fitch at 3:40 pm, to adjourn.

P. Fairbanks