MEETING MINUTES
POPE COUNTY PLANNING ADVISORY COMMISSION
Thursday June 22, 2023

The Planning Advisory Commission convened in regular session on Thursday, June 22, 2023 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: Roger Isdahl, Ivie Cooley, John Messenger, Mark Halls, Ted Kannegiesser, Russell Barkeim, and Paul Gerde (C.C. alt)

Other Officials Present: Land & Resource Management staff, David Green (Director), Jessica Hill (Land Use Specialist II), and Shelley Retrum (Sr. Administrative Associate)

Call to Order

The meeting was called to order by Chairman Messenger at 6:49 p.m.

Additions and Corrections to the Agenda

There were no additions or corrections to the agenda noted. Motion to approve of the agenda made by Gerde with second by Cooley. Motion carried with no dissenting votes noted.

Review minutes of May 25, 2023

The minutes of the Planning Advisory Commission meeting held on Thursday; May 25, 2023 were submitted for approval. Motion by Isdahl to accept the minutes as written. Motion seconded by Cooley. Motion carried with no dissenting votes noted.

Old Business

C.U.P. #23062 - Accessory Structure, application by Scott Northuis (PID 07-0429-000)

Applicant is seeking permission to construct a 1,600 square foot (40 feet x 40 feet) accessory structure on a lot less than five (5) acres in size located in a Shoreland-General Development designated zoning district. Chairman Messenger introduces the item followed by staff report as presented by Director Green. Director Green stated *applicant has met with staff to discuss impervious surface and occupancy issues. The applicant also had a conversation with his septic professional and has decided to abort his request to include inhabitable quarter in the structure. The structure will be a cold storage building with no livable space or water using features. Applicant has submitted a storm water management plan and applicant plans to abate the amount of impervious surface by reducing the size of the current driveway. Staff concludes that a recommendation of approval with new conditions and amending the height of the garage to 25 feet is appropriate:*

1. That the structure is located to meet all setback provisions of the Pope County Land Use Controls Ordinance unless a variance has been granted.

2. The structure must conform with all performance standards as prescribed in the Pope County Land Use Controls Ordinance i.e., primary use is as a garage/storage building, guest quarters not to exceed 700 square feet in area and no inhabitable living space on the first level.
3. That no water features (i.e., bathrooms) are to be included in the structure without the benefit of a permitted and compliant septic system as inspected or designed by a MPCA certified professional.
4. That prior to construction and occupancy of additional inhabitable space (guest quarters), the owner is to provide proof that the existing septic system is compliant with tank integrity, soil separation and overall capacity. If the system is deficient in any of the parameters, then a new system is to be designed and a permit to install the system must be acquired prior to issuance of a permit to construct/occupy the accessory structure with guest quarters/inhabitable living space.
5. That the construction and occupancy of additional inhabitable space is not permissible until abatement of the existing "bunkhouse".
6. That the site must be compliant with impervious surface standards and department policy.
7. A separate Permit must be secured for the installation of the stormwater retention areas.
8. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit) shall require a conditional use permit i.e., commercial business activities.
9. That the property owner is responsible for reaching out to the Township to assure compliance with any Township standards.
10. The owner understands that future development of this site is conditioned upon compliance with all provisions of the Pope County Land Use Controls Ordinance.
11. Failure to meet any of the conditions listed above may result in revocation of this permit following procedures established by and listed in the Pope County Land Use Controls Ordinance.

The applicant was not in attendance to defend application. At 6:59 pm Chairman Messenger opens a public hearing and seeks comments. There were no comments offered from the public in attendance, for or against the proposal at this time. Motion is made by Cooley to recommend approval of the C.U.P. request provided that the conditions as identified in the staff report and as amended including the height limitation are complied with (condition #2 will be amended to include the 25' limitation). The motion is seconded by Gerde. Halls opposed. Motion carried.

Public Hearings and Other Matters for Discussion

C.U.P. #23102 Non-Farm Residence, application by Steve Aaberg (PID 14-0093-000)

Applicant is seeking right to construct/locate a non-farm residence in the Agriculture Protection (A-2) zoning district. Messenger introduces the item followed by staff report as presented by Director Green. Staff recommends approval of the application with the following conditions:

1. That the property owner is responsible for reaching out to the Township to assure compliance with any Township standards.
2. That prior to any construction activities, all necessary permits are secured from County and State agencies.

Aaberg was in attendance and offered an opportunity to defend his application. Chairman Messenger opens a public hearing at 7:05 pm and seeks comments. There were no comments offered from the public in attendance, for or against the proposal at this time. Motion is made by Barkeim to recommend approval of the C.U.P. request with conditions as identified in the staff report. The motion is seconded by Gerde and is supported by a unanimous vote of all members.

C.U.P. #23111 Accessory Structure, application by Arthur & Cynthia Pearson (PID 09-0571-000)

Applicant would like to construct a 1,400 square foot (28 feet x 50 feet) accessory structure with 12 foot side walls on a lot less than five (5) acres in size located in a Shoreland-General Development designated zoning district. Chairman Messenger introduces the item followed by staff report as presented by Director Green. Director Green stated *the applicant intends to keep most of the trees so you really should not be able to see it.* Staff recommends approval of the application with the following conditions:

1. That the structure is located to meet all setback provisions of the Pope County Land Use Controls Ordinance unless a variance has been granted.
2. That no water features (i.e., bathrooms) are to be included in the structure without the benefit of a permitted septic system as designed by a MPCA certified professional.
3. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit) shall require a conditional use permit.
4. The owner understands that future development of this site is conditioned upon compliance with all provisions of the Pope County Land Use Controls Ordinance.
5. Failure to meet any of the conditions listed above may result in revocation of this permit following procedures established by and listed in the Pope County Land Use Controls Ordinance.
6. That the property owner is responsible for reaching out to the Township to assure compliance with any Township standards.

The applicant was not in attendance to defend application. At 7:17 pm Chairman Messenger opens a public hearing and seeks comments. There were no comments offered from the public

in attendance, for or against the proposal at this time. The Public Hearing was followed by a site visit report as presented by Messenger, Kannegiesser and Barkeim. The site team stated *you almost have to drive up the driveway to see it. It is tucked into the trees. It matches the aesthetic of the whole neighborhood. Messenger adds It would be nice if it could be turned by 90 degrees to attempt to make his neighbor happier and possibly putting up a buffer of trees.* At the conclusion of the site visit report there was brief discussion followed by a Motion made by Gerde to recommend approval of the C.U.P. request with conditions as identified in the staff report. The motion is seconded by Kannegiesser and is supported by a unanimous vote of all members.

I.U.P. #23117 Recreational Vehicle Use, application by Bob Pietz (PID 08-0137-101)

Applicant is seeking to be able to have a second Recreational Vehicle (RV) onsite on their Pelican Lake riparian lot. Applicant recently secured an Interim Use Permit (IUP#23023) allowing for one RV to remain onsite for more than 90 days. Applicant is seeking permission that would allow for an additional RV, owned by an immediate family member and is to be used for intermittent recreational purposes by that family member, to be located onsite for more than 90 days.

Chairman Messenger introduces the item followed by staff report as presented by Director Green. Staff recommends approval of the application with the following conditions:

1. This Interim Use Permit (IUP)#23117 allows for a second Recreational Vehicle (RV) to be located on the parcel whereas the previously approved (IUP) #23023 allowed for the first RV.
2. This IUP shall be in effect for a period of 3 years. At that time, the site is to be re-evaluated by the Land & Resource Management department for compliance with use, septic, setbacks and other defined performance standards. If compliant, the Director may continue the permit for an additional 3-year period.
3. The RV designated for extended stay/use in the IUP is to be located in a manner to reduce visibility as viewed from the public waters and adjacent shorelands by taking into account vegetation and topography.
4. **Any** additional RVs, beyond those which are permitted under the IUP#23023 and IUP#23117, are subject to the time limitation of seventy-two (72) hours as prescribed in Section 10.15.B.5.
5. Wastewater from the RV is not to be discharged to the ground surface.
6. No part of this parcel or development is to be advertised to the public as for fee campground or for any type of vacation rental offering.
7. As this application is being considered based upon standards and procedures as established by the Pope County Land Use Controls Ordinance, the effect of this Interim Use Permit is specific to those standards. The applicant is encouraged to familiarize

themselves with any Township standards that may be applicable including setback provisions, special use permits and building permit requirement.

8. Failure to meet any of the conditions listed above may result in revocation of this permit following procedures established by and listed in the Pope County Land Use Controls Ordinance.

The applicant was not in attendance to defend application. At 7:30 pm Chairman Messenger opens a public hearing and seeks comments. There were no comments offered from the public in attendance, for or against the proposal at this time. The Public Hearing was followed by a site visit report as presented by Messenger, Kannegiesser and Barkeim. The site team had no concerns. At the conclusion of the site visit report there was brief discussion followed by a Motion made by Isdahl to recommend approval of the C.U.P. request with conditions as identified in the staff report. The motion is seconded by Kannegiesser. Barkeim opposed. Motion approved.

Adjournment 7:35 p.m. Motion by Gerde to adjourn the Planning Advisory Commission meeting. Motion seconded by Halls. Motion carried with no dissenting votes noted.

Respectfully submitted,

Shelley Retrum

Shelley Retrum/Sr Administrative Associate
Pope County Land & Resource Management