



Staff Report

Application: 2015-09

Parcel number: 87-408-0221

Applicants:

Thomas P. Stoy and Brigid M. Fitzgerald on property described as Part of Lot 22 & PT of Lot 23 Section 31 Sylvan Shores addition, PID# 87-408-0140, located at 1860 Sylvan View Dr. East Gull Lake, MN an application was submitted to request a Conditional Use to:

- Renovate and winterize existing cabin
- Add 4-ft addition across 3/4 of road side
- Add bedroom and 4-season porch above garage
- Add sauna in basement; extend garage toward road
- Replace cement steps on road side with wood deck entry
- Replace cabins flat roof with gable style no higher than roof at highest point of cabin
- Create Stormwater pond to retain run-off from new roof

The property is located in the R-3 zoning district and contains 24,815 square feet, riparian to Sylvan Lake (General Development (GD)).

Directions to property: From Cass County Rd 77 head West, at Madden's entrance turn left on Pine Beach Dr South, proceed to Sylvan Road, turn right at Sylvan View Dr, proceed to 1860 Sylvan View Dr

A conditional use permit is required based upon the existing building is less than 22 feet from the shoreline. Based on our ordinance Section 8.4-4 for Non Conforming Structures and Uses a onetime addition may be granted based upon certain conditions as listed in our findings of fact:

EGL Comprehensive Plan Policies:

1. Protect the area's lakes from damage and degradation.
2. Maintain and support the resort community in the City.
3. Preserve and enhance the scenic beauty and natural plant communities of the area.
4. Work to improve recreation opportunities for residents and visitors throughout the City.
5. Strengthen the bond that make the people who live in, work in, and visit East Gull Lake identify with the community.

Staff Findings of fact:

1. A one-time addition to a non-conforming principal structure shall be permitted based on our ordinance subject to the following conditions:
 - a. Approval shall be granted through the Conditional Use Permit process
 - b. The non-conformity is solely due to setbacks as the deck is less than 21 feet from Lake Sylvan
 - c. The size of the addition shall not exceed 50% of the size of the structure it is being added to
 - d. The total footprint of the structure, once the addition is completed, shall not exceed 2,500 square feet, including decks, porches, patios and other projections
 - e. For reasons of structural integrity, a basement may be allowed under the addition only where a basement exists in the original structure

- f. A landscaping plan is implemented that provides screening of the addition from adjacent properties, public roads, and the surface water
 - g. A storm water management plan is implemented that directs storm water away from adjacent properties and surface waters
 - h. The height of the addition shall not exceed the height of the existing structure.
 - i. Beyond minor alterations needed to accommodate the addition, no structural modifications shall be made to the original structure
 - j. No permits shall be granted under this provision for homes constructed after July 1, 1995 or where a previous variance has been approved
 - k. All other provisions of the Ordinance must be complied with
 - l. A storm water retention area as shown in the submitted design should be constructed on the east side of the lot on the lakeside and proceed along the east side of the garage to retain as much stormwater as possible as created with the new gabled roof and additions.
2. Total impervious coverage will increase to 22.1% based on 5,487 SF on a lot of 24,815 SF
 3. Square footage for the new home is 2,125 SF and is under the 2,500 SF limit

Planning Commission Direction: The commission can recommend approval of the conditional use permit, recommend denial of the conditional use permit, or table the request if additional information is needed. If the recommendation is for approval or denial, findings of fact should be cited.

Staff Recommendation: Staff recommends that the Conditional Use Permit be approved based on the findings of fact listed above. We also recommend the following conditions:

1. Any material resulting from construction or demolition not reused or recycled must be disposed of in a permitted facility.
2. During construction a sediment retention fence shall be erected between the home and garage in those areas that may not be bermed sufficiently between the lake prior to the commencement of construction to prevent run off into Sylvan Lake.
3. The property owners shall maintain the stormwater retention areas in perpetuity so that they maintain their design capacity.
4. Gutters will be placed on the cabins and the direction of flow for them will be towards water barrels for watering plants and overflow being retained within berms that exist or will be created along the lakeside and proceeding along the East side of the garage
5. Property owners will obtain information from the MN DNR in regard to plantings to retain the berms over time.