



City of Lake Elmo Planning Department
Variance Request

To: Planning Commission

From: Nick M. Johnson, City Planner

Meeting Date: 08/26/2013

Applicant: Mary Florence Brink and Thomas W. Brink

Owner: Mary Florence Brink and Thomas W. Brink

Location: 4719 Olson Lake Trail

Zoning: RS – Rural Single Family

Introductory Information

Application Summary:

The City of Lake Elmo has received an application from Mary Florence Brink and Thomas Brink, 1941 Millbank Street Southeast, Grand Rapids, Michigan, for a variance to allow for the use of a septic holding tank system longer than the 12-month time period that is allowed under the Washington County Development Code. As the property is guided for municipal sanitary sewer in the City's Comprehensive Plan, the applicant would like to install a holding tank system until sanitary sewer is made available.

The applicant has provided a written statement to the City indicating the reason for the request. In addition, the applicant narrative addresses how the proposed variance meets the 4 required findings to grant a variance.

Property Information:

The property at 4719 Olson Lake Trail North (CSAH-13) is located on the western shore of Olson Lake in Lake Elmo. The attached location map (Attachment #3) details the location of the property.

Applicable Codes:

Section 51.002 Adoption of County Subsurface Sewage Treatment System Ordinance

Chapter 4 of the Washington County Development Code entitled *Subsurface Sewage Treatment Systems Regulations*, as amended is hereby adopted by reference in its entirety as if herein printed in full.

Washington County Development Code

Chapter 4 – Subsurface Sewage Treatment System Regulations

18.5 Holding Tanks

(1) Holding tanks may be considered for installation on previously developed sites, as a temporary method for periods of up to 12 months, during which time measures are taken to provide municipal sewer service or the installation of an approved system as provided in this Chapter.

Section 154.109 Variances.

(A-J) Variances. Identifies procedures and requirements for the processing and review of a variance application. Please note that this section was recently updated by the City to comply with revisions to Minnesota State Statutes.

Findings & General Site Overview

Site Data: Lot Size: 0.56 acres
Existing Use: Single Family Detached Dwelling
Existing Zoning: RS – Rural Single Family
Property Identification Number (PID): 08.029.21.14.0060

Application Review:

Variance Review: As outlined in the narrative, the applicant is seeking to build a new single family home at 4719 Olson Lake Trail North. Per the requirements of Washington County, the permitting authority of subsurface sewage treatment systems, all systems must be inspected at time of real estate transactions and construction of new homes. The applicants have consulted with Pete Ganzel, Washington County Environmental Specialist, and have determined that the septic system on the property is non-compliant per Washington County regulations. Given the non-compliant status of the existing septic system, the applicants must design and install a compliant system before a building permit is issued to construct a new home on the property.

It should be noted that Thomas Brink and Mary Florence Brink previously applied for and were granted a variance related to an encroachment of a covered porch into the required setback from the Ordinary High Water (OHW) Mark per the City’s Shoreland Ordinance. The variance was granted at the City Council meeting on July 2, 2013 through Resolution 2013-050. Through the review of this variance, the Planning Commission and Council reviewed the applicant’s plans for the property. As the applicants have progressed in making plans for constructing a new home, the septic system issue was raised and analyzed. After meeting with Staff and Washington County, as well as consulting a septic designer, the applicant’s chose to move ahead with a variance to allow septic holding tanks for a period longer than 12 months. The applicant selected this option given that their property was recently included in the area guided for sanitary sewer per the Olson Lake Trail Sewer Project.

Regarding the Olson Lake Sewer Project, the City of Lake Elmo entered into a Joint Powers Agreement with the City of Oakdale on May 7, 2013 (Resolution 2013-034) to complete two phases of sanitary sewer improvements to multiple properties along

	<p>Olson Lake Trail. The project was initiated by petition from two Oakdale residents on the western side of Olson Lake Trail. When presented the opportunity to collaborate on a sewer project, the City of Lake Elmo surveyed adjacent Lake Elmo residents and found support for the sewer project. In order to move forward with the sewer project, the City of Lake Elmo had to amend the Wastewater Facilities chapter of the City's Comprehensive Plan to reflect the properties on Olson Lake Trail that would be guided for sanitary sewer service. The Planning Commission reviewed this Comprehensive Plan Amendment on April 22, 2013, and the City Council approved the amendment on May 7, 2013 (Resolution 2013-037). The properties that are now guided for sanitary sewer in the City's Comprehensive Plan are found in Attachment #XX. The property owned by the applicants is located in Phase II of the Olson Lake Sewer Project. The City anticipates that Phase II of the project will be completed when Washington County reconstructs Olson Lake Trail (CSAH 13). Per the County's 2013 Capital Improvement Plan (Attachment #XX), Olson Lake Trail is scheduled to be reconstructed in 2016. Given that Phase I of the project has now been authorized by both cities, and the reconstruction of Olson Lake Trail is likely to move ahead in 2016, these established policies provide greater explanation and reasoning for the variance request.</p>
<p><i>Variance Requirements:</i></p>	<p>An applicant must also establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 154.109 before an exception or modification to City Code requirements can be granted. These criteria are listed below:</p> <ol style="list-style-type: none"><li data-bbox="293 1052 1429 1381">1. Practical Difficulties. A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.<li data-bbox="293 1415 1429 1486">2. Unique Circumstances. The plight of the landowner is due to circumstances unique to the property not created by the landowner.<li data-bbox="293 1520 1429 1591">3. Character of locality. The proposed variance will not alter the essential character of the locality in which the property in question is located.<li data-bbox="293 1625 1429 1766">4. Adjacent properties and traffic. The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. <p>Given the information that has been submitted by the applicant and pending further review by the Planning Commission, Staff would offer the following suggested</p>

findings specific to the variance that have been requested by the applicant:

1. *Staff finds that the proposed use of a septic holding tank system for a period longer than 12 months in this case represents a reasonable use of the property. Given that the applicant's property is now guided for sanitary sewer connection, and the project is likely to occur in the future, it makes more financial sense for the property owner install a holding tank system as opposed to a brand new trench or mound system. **Staff determines that this criterion is met.***
2. *The inclusion of the subject property in Phase II of the Olson Lake Trail Sewer Project is a unique circumstance to the property not created by the land owner. **Staff determines that this criterion is met.***
3. *Staff finds that the installation of a holding tank system will not alter the essential character of the neighborhood. The applicant has noted that allowing for the installation of a holding tank system would save a number of trees on the property that would otherwise have to be removed if a different type of septic system was installed. **Staff determines that this criterion is met.***
4. *The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. **Staff determines that this criterion is met.***

Conclusions: Staff finds that the applicants have met the 4 necessary criteria for a variance and demonstrated that the desire to install a holding tank system until sanitary sewer is available is a reasonable use of the property not permitted by an official control. Staff has also confirmed that the inclusion of the subject property in the area to be served by sanitary sewer is a unique circumstance not caused by the landowner.

In order to grant the proposed variance, Staff recommends that the applicant enter into an Agreement with the City to connect to Municipal Sanitary Service within 6 months of service being available. The proposed variance is predicated upon the future connection to sanitary sewer. For that reason, the applicants should enter into an agreement with the City to ensure their participation with the Sewer Project and connection into the sanitary sewer system. This Agreement is to ensure that a holding tank system that is temporary in function does not become a permanent solution for the property.

Conclusion:

Mary Florence Brink and Thomas Brink, 1941 Millbank Street Southeast, Grand Rapids, MI, have submitted a request for a variance to allow for the installation of a septic holding tank system at 4719 Olson Lake Trail North for a period longer than 12

months. The holding tank system will serve a new single family home as a temporary system until sanitary sewer is available.

Staff Rec: **Staff is recommending that the Planning Commission** recommend approval of the variance request by Thomas Brink and Mary Florence Brink to install holding tanks at 4719 Olson Lake Trail that will replace an existing non-compliant subsurface sewage treatment on its site, provided the following conditions are met:

1. The applicant shall to enter into an Agreement with the City to connect to Municipal Sanitary Sewer within 6 months of service being available, and waiving their right to appeal their assessment for the extension of Municipal Sanitary Sewer.
2. The applicant should be required to submit copies of all septic tank pumping records to the City on a quarterly basis.

Approval Motion Template: **Staff is recommending that the Planning Commission** recommend approval of the proposed variance through the following motion:

“Move to recommend approval of the Variance request for the installation of septic holding tanks for a time period longer than 12 months with the conditions outlined in the Staff Report.”

cc: Mary Florence Brink and Thomas Brink

Fee \$ _____

City of Lake Elmo DEVELOPMENT APPLICATION FORM

- Comprehensive Plan Amendment
- Variance * (See below)
- Residential Subdivision Preliminary/Final Plat
 - 01 - 10 Lots
 - 11 - 20 Lots
 - 21 Lots or More
- Zoning District Amendment
- Minor Subdivision
- Excavating & Grading Permit
- Text Amendment
- Lot Line Adjustment
- Appeal
- PUD
- Flood Plain C.U.P. Conditional Use Permit
- Residential Subdivision Sketch/Concept Plan
- Conditional Use Permit (C.U.P.)
- Site & Building Plan Review

APPLICANT: Thomas W. Brink
 (Name) Mary Florence Brink 1941 Millbank St SE Grand Rapids MI 49508
 (Mailing Address) (Zip)

TELEPHONES: 616-452-2883 (MI) 651-779-4123 (MN) 616-322-6591
 (Home) (Work) (Mobile) (Fax) Cell

FEE OWNER: _____
 (Name) (Mailing Address) (Zip)

TELEPHONES: _____
 (Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): see attached
4719 Olson Lake Trail N, Lake Elmo, MN 55042

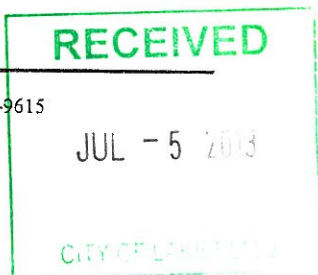
DETAILED REASON FOR REQUEST: Temporary holding tank needed for longer than 12 months, until planned sewer hookup is available

*VARIANCE REQUESTS: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the Applicant must demonstrate a hardship before a variance can be granted. The hardship related to this application is as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Thomas W Brink 7/2/13
 Signature of Applicant Date

Mary Florence Brink 7/5/13
 Signature of Applicant Date



July 1, 2013

Variance Request

4719 Olson Lake Trail N., Lake Elmo, MN 55042

a) Property owners are Thomas W. Brink and Mary Florence Brink. Ownership of the property was recently transferred from the trust of Robert F. Coles (deceased 4/15/11) and the trust of Catherine E. Coles to the current owners, and registered with Washington County on May 30, 2013.

b) Legal description: SECT 8 TWP 29 RG 21 PT GOV LOT 2 LYING ELY OF OLSON LAKE RD & LYING WITHIN FOLL DESC BDRY SECT 8 TWP 29 RG 21 PT GOV LOT 2 LYING ELY OF OLSON LAKE RD & LYING WITHIN FOLL DESC BDRY The property consists of 3 parcels that have been combined into one lot, 0.51 acres or 22,216 square ft in size. For the full legal description see Exhibit A in previously submitted documents.

PID: 08.029.21.14.0060

Existing use is for a residential home. Property is zoned R-1 residential.

c) A variance is sought for the use of a temporary holding tank for more than 12 months. This is in reference to the Washington County Development Code, Chapter Four, Subsurface Sewage Treatment System Regulations, Section 18.5, sub-section 1. It reads as follows.

18.5 Holding Tanks

(1) Holding tanks may be considered for installation on previously developed sites, as a temporary method for periods of up to 12 months, during which time measures are taken to provide municipal sewer service or the installation of an approved system as provided in this Chapter.

d) The variance is requested because Pete Ganzel, Washington County Public Health & Environment, believes the existing septic system is non-compliant, based on the information I provided him about the age, location, and type of system on the site. A sewer project is planned for the homes along the road. Phase One, which falls 2 homes short of our property, is to be completed in 2013. We requested that our property be included in Phase One of the sewer project, but it is our understanding that the depth of the sewer pipe as it reaches our property would require tearing up the road. Phase Two is scheduled for completion in conjunction with a Washington County road resurfacing project sometime between 2014 and 2016. Therefore, we are requesting the use of a holding tank until a sewer hookup is available, in lieu of installing an entirely new septic system/drainfield. The variance is needed because code allows a holding tank to be used for up to 12 months. We would need to use the tank until the sewer hookup is available.

e) I have discussed the code requirements and options for dealing with a non-compliant septic system with both Nick Johnson and Kyle Klatt in the Lake Elmo city planning office, and with Pete Ganzel in the Washington County Department of Public Health and Environment. A temporary holding tank seems to be our best option. It could be placed near the existing liquid and solids tanks, is the least damaging to the trees on the property, and could be converted for use as a pumping tank when the hookup to the sewer is made. Alternatively, we might be able to use one of the existing liquids or solids tanks as the holding tank. We would install a pumping tank during construction, but not hook it up until the sewer connection is available. We are checking on the viability of the existing tanks for this use.

f) Denial of the variance would cause us to incur the cost of an expensive new septic system that would be used for only a short time and then abandoned when the new sewer is installed. It could also result in the delay of construction of the new house until the completion of Phase Two of the sewer project, and delay of our return to the community from out of state.

g) Because of the small lot size and setback constraints, the only location available on the site for a new drainfield would be to the north of the house, and would result in the destruction of multiple trees on the property. This would be an unnecessary loss of both natural habitat we are trying to preserve and of the valuable natural screen the trees provide between our house and the neighbor.

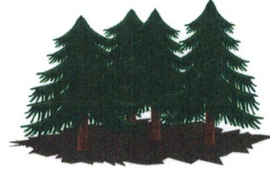
h) A variance for a holding tank would have substantially less impact on the neighborhood than the installation of a new drainfield for the septic system. A holding tank is underground, not visible to the surrounding community, and it would be placed in a location that did not require the destruction of the wooded portion of the lot. It would not alter the current use or nature of the site.



Z ierke

S oil

T esting



Zierke Soil Testing

27072 Flintwood Circle
Wyoming, MN 55092
MPCA Certification #00998
Phone (651) 462-2294

Name: Morrissey Builders
07/18/13

Date:

Address: 2300 Kennedy Street NE., Suite 200, Minneapolis, MN. 55413

Location: Tom Brink property, 4719 Olson Lake Trail N., Lake Elmo, MN. 55042

Test area should be staked out and roped off to keep construction traffic away from site.

This testing information should be submitted to the proper authority for approval.

STANDARD SYSTEM DESIGN
INDIVIDUAL SEWAGE TREATMENT SYSTEM

WASHINGTON COUNTY HEALTH, ENVIRONMENT & LAND MANAGEMENT
14900 N. 61ST STREET, P.O. BOX 3803, STILLWATER, MN 55082-3803
651/430-6708 OR 651/430-6656 FAX 651/430-6730

Owner's Name Tom Brink Job Site Address 4719 Olson Lake Trail N., Lake Elmo, MN. 55042 City or Township City of Lake Elmo Use of Building Single family-residential
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Design Flow Rate 300 gpd	Land Slope	Percent	
Required Tank Sizes 1500 Gallons	and	Gallons	
Type of System (standard, at grade or bed) Holding tank			
System Size: Square Feet	Lineal Feet	Trench Width	
Depth of rock below pipe:		Depth of Rock Above Pipe: 2"	
MINimum Depth of Trench		MAXimum Depth of Trench	
From Existing Grade	Inches	From Existing Grade	Inches
Recommended Number of Trenches		Recommended Length of Trenches	
Trench Spacing Measured Center to Center feet			
Any Other Special Conditions This design is for a temporary holding tank. City sewer is being run past this property in the near future. Holding tank will be used as a lift to pump to new sewer line in the future.			

IF PRESSURE DISTRIBUTION IS USED, COMPLETE THE PRESSURE DISTRIBUTION WORK SHEET ATTACHED.

This design **must be accompanied by a site plan** that clearly shows the location of the area tested and approved by the following:

1. Use an appropriate scale and indicate direction by use of a north arrow.
2. Show **ALL** property boundaries, rights-of-way, easements, wetlands. If necessary, an enlarged detail of the house site may also be required.
3. Show location of house, garage, driveway and all other improvements existing or proposed.
4. Show location and layout of sewage treatment system.
5. Show location of water supply (well and/or community supply line).
6. Dimension all setbacks and separation distances.

This system has been designed by a Pollution Control Agency (PCA) Certified Professional.

Designer Name: Chris Zierke

PCA Certification # 00998 (Lic. 119)

Address: 27072 Flintwood Circle Wyoming, MN 55092

Phone # (651) 462-2294

Signature 

Date 07/18/13

An Equal Employment Opportunity/Affirmative Action Employer
If You Need Assistance Due to Disability or Language Barrier, Please Call 430-6656 OR 430-6708 (TDD 439-3220)



PROPOSED SITE PLAN
1" = 20'

1

OLSON LAKE

ORDINARY HIGH WATER MARK

EASEMENT SETBACK

EXISTING HOUSE
NEW SEPTIC TANK

75' SEPTIC TANK TO OHW

NEW SCREEN PORCH
PROPOSED NEW HOUSE
NEW DECK
50'-0" MINIMUM
10' MIN.

100' LAKE SETBACK

EXISTING MATURE OAK

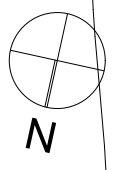
SIDE SETBACK

EXISTING WELL

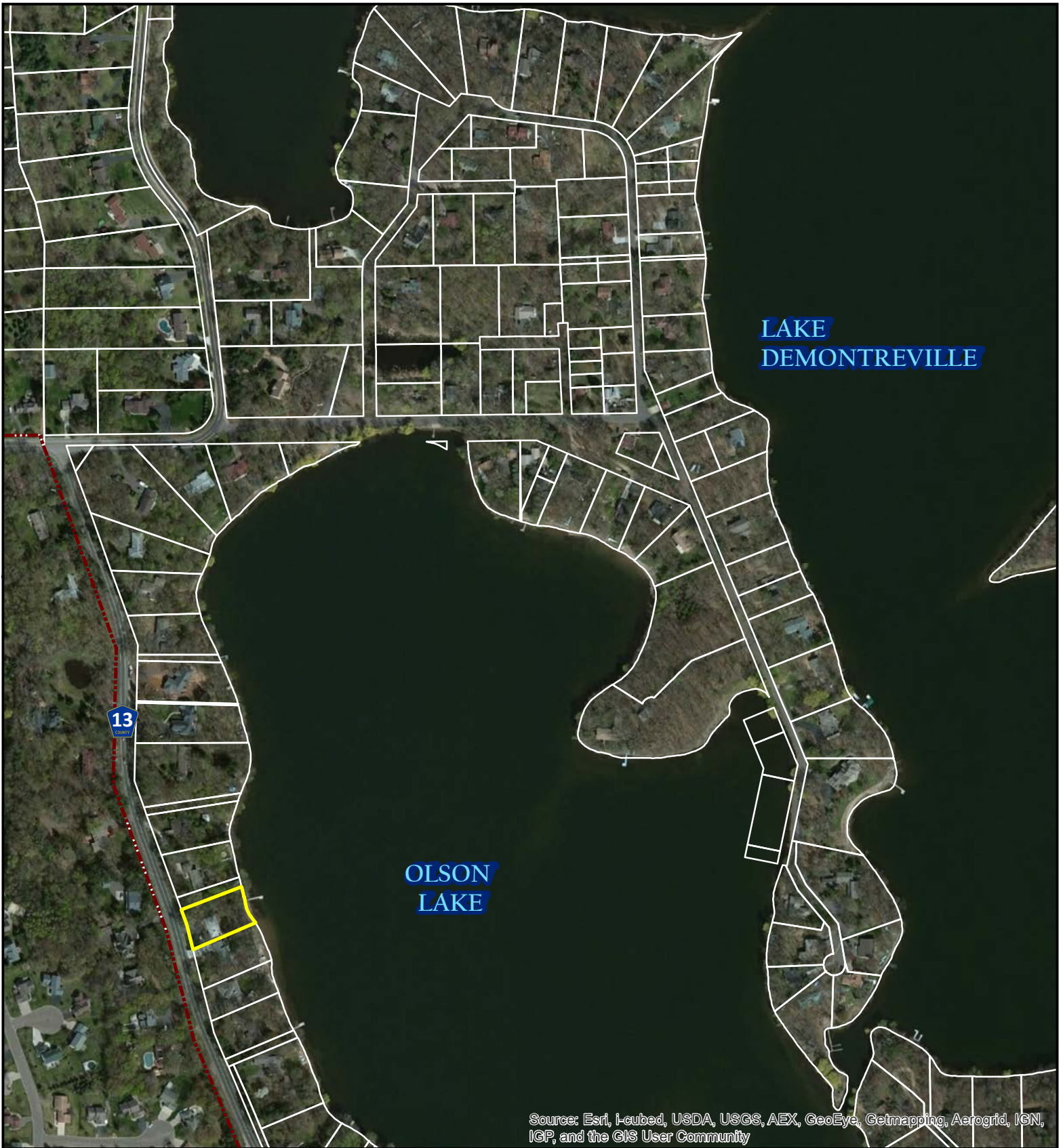
NEW GARAGE

FRONT YARD SETBACK

NEW DRIVE



OLSON LAKE TRAIL



LAKE
DEMONTREVILLE


OLSON
LAKE

Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

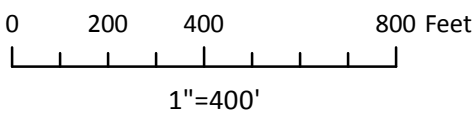
Location Map: 4719 Olson Lake Trail North

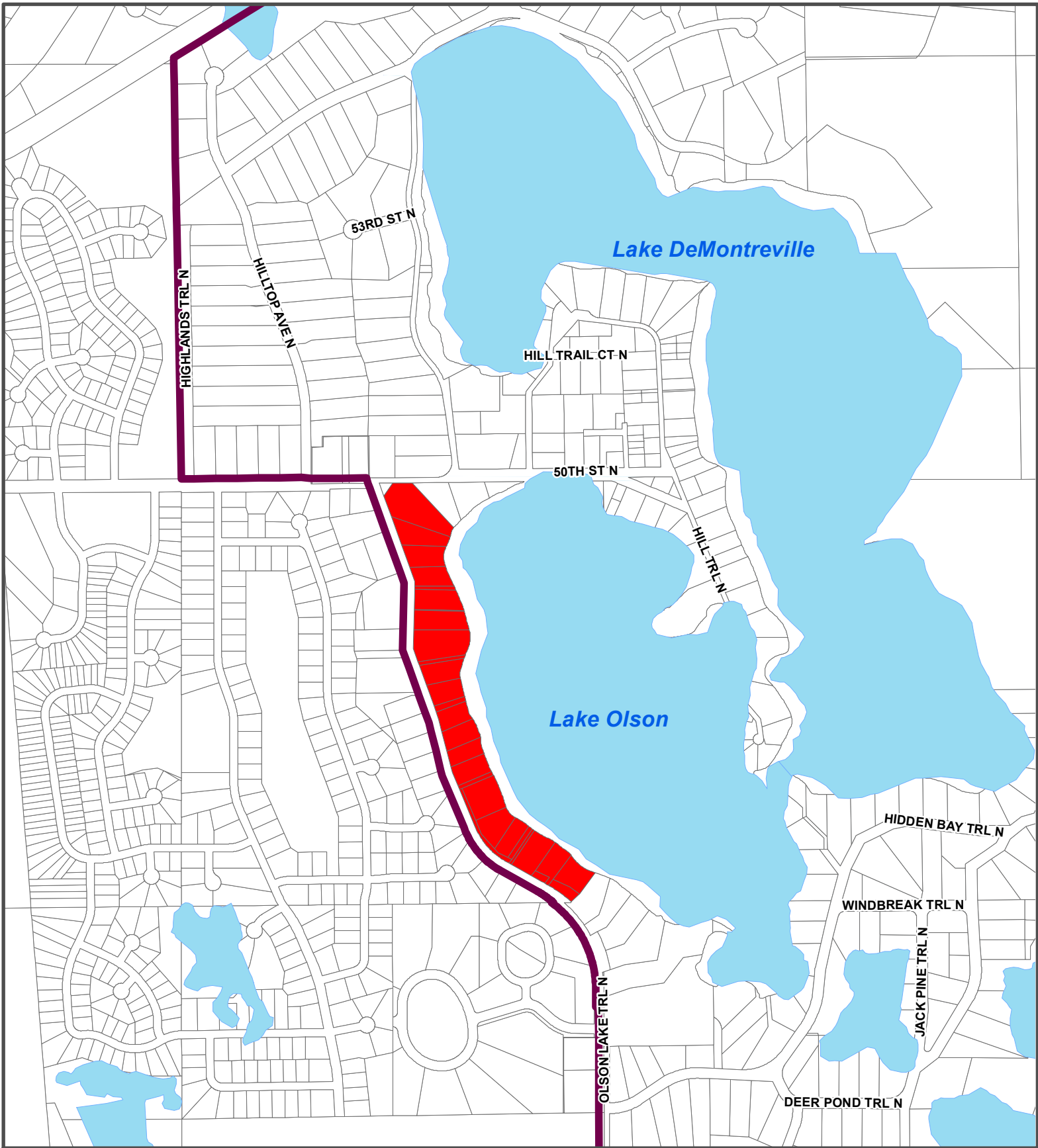


Data Source: Washington County, MN
6-17-2013

 4719 Olson Lake Trail North

 Municipal Boundary





Sewer Service Area - Tri Lakes

Lake Elmo Comprehensive Plan Update



Map Date:
April 22, 2013



0 125 250 500 750 1,000
Feet

 **Future Public Sewer Service Area**

MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

Date: August 20, 2013

To: Nick Johnson, City Planner

Re: City of Lake Elmo
4719 Olson Lake Trail N.

From: Jack Griffin, P.E., City Engineer

Septic System Variance Request

Applicant is requesting a variance to allow for installation of a septic holding tank system for a period longer than 12 months.

Review Comments: Engineering has reviewed this variance request and has the following comments:

1. The property at 4719 Olson Lake Trail North is part of the Phase 2 Olson Lake Trail Sanitary Sewer Extension Project. Therefore, this home will be allowed to connect to the Oakdale Sanitary Sewer System when the Phase 2 project is constructed.
2. If the variance is granted, the applicant should be required to install a temporary system as approved by Washington County. The system capacity should be oversized to minimize pumping intervals to provide more operational flexibility.
3. The applicant should be prepared to operate the system for at least 5 years in the event the Phase 2 project is delayed for any reason.
4. Consideration should be given to allocating and reserving sufficient space to allow for the construction of a drain field in the event the Phase 2 project is terminated for any reason.
5. The applicant should be required to connect to the sanitary sewer system within 6 months of the system being made operational for this property.



Department of Public
Health and Environment

Lowell Johnson
Director

Sue Hedlund
Deputy Director

August 21, 2013

Nick Johnson
City Planner
City of Lake Elmo
3800 Laverne Ave N
Lake Elmo, MN 55042

RE: Variance Request, 4719 Olson Lake Trail, Holding Tank (Brink Residence)

The proposal to install a holding tank on this property on a temporary basis on this property has been reviewed. As municipal sewer service will be provided within a few years, this Department supports approval of a variance to Section 18.5 (1) of the Washington County SSTS ordinance.

The applicants have been made aware of the costly nature of maintaining a holding tank for more than a year.

The location of the proposed 1500 gallon tank meets all setback requirements and ideally could be reused as a lift station for the future connection to municipal service if that was necessary.

Holding tanks are subject to several requirements in the SSTS ordinance. I refer specifically to Sections 18.5 subparts 5 through 10 (attached), which could be incorporated as conditions of the variance or certainly as requirements of the installation permit.

A requirement that the dwelling be connected to municipal service within 30 days or other reasonable time following completion of the sewer project is recommended as is a time limit on the variance itself. If the sewer project does not proceed within a reasonable time, the applicants must provide an on-site sewage treatment solution for the proposed dwelling or forfeit its habitability.

If you have any questions call me at (651)430-6676.

Pete Ganzel

A handwritten signature in black ink, appearing to read "Pete Ganzel", written over a large, irregular scribble.

Senior Environmental Specialist

18.5 Holding Tanks

- (1) Holding tanks may be considered for installation on previously developed sites, as a temporary method for periods of up to 12 months, during which time measures are taken to provide municipal sewer service or the installation of an approved system as provided in this Chapter.
- (2) Holding tanks may be considered on a permanent basis for non-residential, low water use establishments with a sewage flow of 150 gallons per day or less, subject to approval by the Department or local unit of government.
- (3) Holding tanks must be used for floor drains for vehicle parking areas and existing facilities potentially generating hazardous waste.
- (4) To qualify as a holding tank, the system must:
 - (A) Meet or exceed applicable requirements of Section 13.
 - (B) Meet or exceed the applicable requirements of Section 16.2.
 - (C) Meet or exceed the requirements of Section 16.3 (2).
 - (D) Meet the requirements of Section 18.5 (2) to Section 18.5 (10).
- (5) All tanks used as holding tanks must be tested once placed at the final location for watertightness as specified in Minnesota Rules, Chapter 7080.2010².
- (6) A cleanout pipe of at least six inches in diameter must extend to the ground surface and be provided with seals to prevent odor emissions and exclude insects and vermin. A maintenance hole of at least 20 inches in least dimension must extend through the cover to a point within 12 inches, but no closer than six inches, below finished grade. If the maintenance hole is covered with less than six inches of soil, the cover must be secured according the Section 13.13.
- (7) For a dwelling, the minimum size is 1,000 gallons or 400 gallons times the number of bedrooms, whichever is greater. For other establishments, the minimum capacity shall be at least five times the design flow. Tank sizing for floodplain areas must be calculated according to Section 18.3 (10).
- (8) Holding tanks must be located in an area readily accessible to the pump truck under all weather conditions and where accidental spillage during pumping will not create a nuisance and must meet the setback requirements of Table V.
- (9) Holding tanks must have an alarm device to minimize the chance of accidental sewage overflow unless regularly scheduled pumping is used. An alarm device shall identify when the holding tank is at 75 percent capacity.
- (10) A contract for disposal and treatment of the septage shall be maintained by the owner with a licensed Maintainer.



**Draft Planning Commission Minutes, 8-26-13
Excerpt from Public Hearing Item 4a**

Public Hearing: *Variance – 4719 Olson Lake Trail N*

Johnson began his presentation by explaining that a variance application was received from Mary & Thomas Brink to install a septic holding tank system for a period longer than 12 months. This site is expected to connect to Municipal Sanitary service as part of Phase II of the Olson Lake Trail sewer project which will take place in 2016. Staff found that the 4 variance criteria are met for approving the variance.

Haggard asked if there was enough space available on the lot for a future drainfield should Phase II of the sewer project not move forward. Johnson stated there was enough space if need be. Haggard also asked what would happen if they didn't hook up within 6 months of the sewer going in. Zuleger stated that Washington County is responsible for enforcement. She also asked if there was any environmental concern. Johnson stated it is not an environmental concern, but it is a financial burden to frequently pump these tanks.

Kreimer asked if there was a requirement to remove the holding tanks. Johnson stated that it would be required under the County guidelines.

Public hearing opened at 7:16pm.

Mary Florence Brink, 4719 Olson Lake Trail, spoke about the existing system that is located on site. She noted that the holding tank will be utilized as part of the connection to municipal sanitary sewer.

The City received from Gary Mulcahy, 4710 Olson Lake Trail N., stating his support for the Variance.

An email to Staff from Mr. Gary Fields was received and distributed to the Planning Commission. He noted that he understands the reason for the Variance request.

Public hearing closed at 7:18pm.

M/S/P: Dorschner/Larson, move to recommend approval of the variance request for the installation of septic holding tanks at 4719 Olson Lake Trail North for a time period longer than 12 months, but not to exceed 5 years, with the conditions outlined in the Staff Report: **Vote: 7-0, Motion Carried Unanimously.**

Kreimer asked if it was appropriate to place a time restriction on the Variance to ensure that the holding tank system does not become the permanent solution for this property. He suggested a timeframe of 5 years where the variance would be valid.

M/S/P: Kreimer/Haggard, move to amend the motion to add a condition that the variance should not exceed 5 years, **Vote: 7-0, Motion Carried Unanimously.**