

VILLAGE OF LAKE ELMO
PLANNING AND ZONING COMMISSION
MINUTES OF THE MEETING AUGUST 13, 1974

Meeting called to order at 7:38 P.M. by Chairman Lundquist.

Members present: Dreher, Folz, Johnson, Lundquist, Lyons, and Williams

Minutes Approval: Motion by Folz, second by Johnson to approve the minutes of the July 22, 1974 meeting as submitted. Motion carried unanimously.

Mrs. Madge Hall Regarding lots in Lanes DeMontreville Country Club Mrs. Hall owns Lots 22-31, and Lots 68-77 (a 200' by 200' tract of land) in Lanes DeMontreville Country Club. She was interested in the buildability of the lots and possible lake access. The PZC discussed the tract and indicated that one building site may be possible without public utilities if all ordinances are complied with. Mrs. Hall was informed that she would be required to present a 2 foot contour map, soils data and water table elevation to the PZC before a determination could be made regarding the buildability of the property. She indicated that her intention was to sell the property in its present condition.

Jerome Bratsch and Berry Stepan Discussion regarding subdivision of land in Lanes DeMontreville Country Club Mr. Bratsch and Mr. Stepan appeared regarding the subdivision of land on Lake DeMontreville. Mr. Bratsch owns Lots 217-226 plus the vacated street and Lots 228-232 plus the vacated street. Mr. Stepan wishes to purchase Lots 228-232 plus the vacated street and build a house on this tract. The PZC has inspected this tract on the ground and informed the men that in our opinion the tract is too small to build on without public utilities. The main consideration is the steep slopes and high water mark which reduces the usable land area substantially. To place an on-site septic system would require many trees to be removed and considerable fill material would have to be placed for the drainfield. We question if an adequate on-site system could be constructed on this tract. The tract could be developed without major problems if a public utility system were available. If Mr. Bratsch desires to pursue this matter he must submit a 2' contour map complete with topography, soils data and professional soil analysis report relative to a proposed drainfield location.

Note: Mr. Bratsch indicated that surface drainage is presently running off the street and across his property, causing erosion. He stated that the city doesn't have an easement for such use and requested the matter be reviewed and resolved. The city attorney should check the title for easements of record and report to the council.

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Steven Ness
Discuss setback
for proposed
house on Lot 9
Block 2, Lake
Jane Hills

Mr. Ness appeared in behalf of his mother regarding the proposed setback for the house they wish to move from 10th Street North, to Lot 9, Block 2, Lake Jane Hills. The existing house on Lot 8 is setback about 70 feet from the front lot line. Mr. Ness would like to setback about 95 feet from the front lot line. He discussed the matter with the owner of Lot 8, and could not get the owner's permission to setback any further than his house.

The PZC recommended to Mr. Ness that he comply with the setback established by the house on Lot 8 within a distance of 10 feet. If he desires to pursue this 95 foot setback, he should submit to the PZC, a drawing that indicates the exact location of the adjoining structure, proposed location of his house and written approval of the adjoining property owners.

Hedberg hearing
Policy state-
ment

Motion by R. Johnson, second by B. Folz. The following statements represent the concerns and policy of the Lake Elmo Planning Commission regarding the Hedberg lot subdivision on the channel between Olson Lake and Lake DeMontreville:

1. The city of Lake Elmo ordinances and comprehensive plan has established a minimum lot size of one acre in this area. The comprehensive plan also established a medium density for this area. The comprehensive plan has been followed as evidenced by the character of the immediate area around the site under consideration at this hearing.

2. The lot size and density in this area should not be reconsidered until public sewer and water is available. The grounds for this decision relates to the high water problem in the Tri-Lakes area. The high water is presently restricting some private sewer systems from properly functioning. We can safely project very serious problems with the existing development if the lake level continues to rise and therefore feel we should not consider the creation of more potential problems.

3. A regulation lot in Lake Elmo must have a minimum of one acre of land area and 125 feet of lot frontage (as measured along the building setback line) and also have its total frontage abutting a public road. The road must be platted and accepted by the city or be established by Prescription as defined in Minnesota Statutes 160.05.

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4. The Legal Counsel for the city has indicated the subdivision of the total tract was made after the effective date of the ordinance which requires the owner to proceed under the city subdivision platting ordinance.

5. The usable lot area should also be defined as that land which lies above the 930 foot (1929 Mean Sea-Level) contour line. The land below the 930 foot contour line is subject to flooding.

6. A portion of this tract is presently being used by the drainfield system from the William Rowe residence (8286 Hidden Bay Court). The Ted Wickstrom (8290 Hidden Bay Court) septic system and drainfield also utilizes the same filtering area within approximately 10 feet of the Hedberg property line.

7. The surface drainage of the surrounding area flows on and over this tract and may create a higher water table in the area proposed for the Hedberg drainfield.

8. The environmental impact of developing this tract should be completely studied by professional people with environmental expertise. The developers should be required to provide this information to the court.

9. If a complete soils survey and professional analysis has not been provided to the city, this report should be required. The report should identify the type of effluent filtering material that is available to protect the public from pollution. If additional fill material would be required, the fill would probably destroy the present tree cover and have an adverse affect on the landscape. This plan must also be presented and reviewed by the Valley Branch Watershed Board prior to the final consideration by the city.

10. In conclusion, we believe this proposed subdivision is in conflict with the city's land use regulations which have been developed and enforced to protect the health, safety and welfare of the public. The financial gain or hardship of one tract of land should not dominate the adverse affect upon the public and the public's right for protection by enforcing reasonable regulations and ordinances.

Motion carried unanimously.

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PZC budget
for 1975

Motion be R. Johnson, second by T. Williams to submit the following budget request as an estimate of expenses to continue the work on the comprehensive plan and conduct regular business during 1975.

Estimated Cost:

- \$4,000.00 Consultant planner fees to complete rough draft of comprehensive plan. Includes one meeting per month. The expected completion date of this phase is January 1, 1975.
- \$8,000.00 Consultant Planner fees to complete and publish the final comprehensive plan report and necessary graphic exhibits. The expected completion date of this phase is late 1975.
- \$3,000.00 Consultant Planner fees and Planning Commission expense to conduct regular business and review minor subdivisions.

Total cost for 1975 budget is \$15,000.00. This assumes the consultant would defer payment of the last four months work in 1974 until January 1975. The PZC also recognizes the potential of substantial planning review time relating to major developments. If this work is required in 1975, the cost should be borne by the developer and is not included as an item in this budget request.

Motion carried unanimously.

Note: The budget request was discussed with the consultant and represents their estimate.

Motion by R. Johnson, second by B. Folz to adjourn at 11:45 P.M.

Respectfully submitted,
Bruce A. Folz
Acting Recording Secretary