

**Barnesville Planning Commission  
Regular Meeting  
Monday, April 5, 2010**

The regular meeting of the Barnesville Planning Commission was called to order by Chairman Merlin Strom at 6:30 p.m.

Members present: Mike Detloff, Steve Mortensen, Merlin Strom, Pat Berndt, Margaret Follingstad, Paul Karsnia, Brent Berg, Matthew Wever, and Mike Rietz, Zoning Administrator.

Members absent: None.

Others present: Karen Lauer and Kelli Froslic of the Barnesville Record-Review.

**AGENDA**

**4-5-10-01** Motion by Berndt and seconded by Mortensen to approve the agenda with the addition of Main Street Update. Unanimously carried.

**MINUTES**

**4-5-10-02** Motion by Detloff and seconded by Karsnia to approve the minutes of the March 1, 2010 meeting with an amendment to Others Present: Chuck Peppel, Patricia Peppel, Tanya Strecker, Crystal Plath, Larry Plath, Becki Eggiman, and Delyle Fankhanel. Unanimously carried.

**UPDATE ON OMEROVIC CUP APPLICATION**

Mike Rietz reviewed the letter sent by Karen Lauer to Mr. Omerovic regarding his CUP request. The letter stating it was a confirmation of a telephone conversation regarding the withdrawal of the CUP request. The letter indicated if the City did not receive a written response by March 15, 2010, the City would consider the CUP request officially withdrawn. No communication was received from Mr. Omerovic. No further action is required by the Planning Commission.

**REVISIONS TO ACCESSORY BUILDING ORDINANCE**

Mike Rietz reported that the City Council requested that the Planning Commission review the Accessory Building Ordinance further. The City Council was uncomfortable with the language in Subd. 5 regarding the need for the roof pitch to match that of the primary structure. The Planning Commission reviewed the proposed language revisions.

**Subd. 5. Appearance of Structure.** Any accessory building which is over 150 square feet or located in the side yard must be similar in design and materials to the primary structure located on the lot, and in residential areas, sheet metal may not be used as siding and roofing material.

Follingstad asked if the language could end following "lot." Berg questioned if this would allow vertical siding even if the house has horizontal siding. Follingstad stated that the roof pitch issue may be covered under Subd. 9. Rietz indicated that the City Council was concerned with being too restrictive especially in regard to the pitch language. Strom stated the reference to color in the language would probably be OK with the City Council. The Planning Commission discussed the possibility of adding language regarding no one-way roofs to the language. The consensus of the members was that the requirement to be similar in design to the primary residence would be adequate.

**Subd. 9. Height.** Accessory buildings of 150 square feet or less may not exceed eleven (11) feet in height to the peak. No accessory building over 150 square feet shall be higher than the principal residence. The sidewalls may not exceed ten (10) feet.

The Planning Commission reviewed the previous discussion on measuring maximum peak height versus maximum sidewall height for buildings over 150 square feet. Members discussed the possibility of higher sidewalls for buildings on larger lots. Follingstad stated maybe this should be tied to larger setbacks instead of lot size. Commission members suggested a change in language to "...not to exceed ten (10) feet in height from the finished floor."

**Subd. 10. Sequential Requirements.** No accessory building or structure other than a fence or temporary construction may be constructed prior to the time of construction of the principal building or structure. No accessory building may be constructed on a property where the primary structure is substandard, has safety violations, or is vacant. Upon demolition of the primary structure, the accessory buildings must also be removed from the lot, unless the demolition permit is issued in conjunction with a building permit for a new primary structure.

Mike Rietz reviewed the proposed language addition to Subd. 10. This language established a sequence of actions to be followed. The City does not want to have individuals purchase property, demolish the home and leave only an accessory structure on the property. The Planning Commission members agreed with the proposed language.

**Subd. 11. Sequential Requirements - Exceptions.** The requirements of Subdivision 10 may be waived in the following circumstances:

1. An accessory building may remain on the lot when the primary structure has been demolished and removed from the lot in accordance with an order of demolition from the city or its building inspector; or
2. The city council with the recommendation of the Planning and Zoning Commission determines that a variance be granted because the enforcement of Subdivision 10 would result in a significant hardship to the applicant.
- 3.

The Planning Commission reviewed the new language. It was the recommendation of the Commission members to remove item number two since the variance language is part of zoning law.

**4-5-10-3** Motion by Follingstad and seconded by Mortensen to recommend to the City Council to approve the amended Accessory Structure language. Unanimously carried.

#### **UPDATE ON FANKHANEL RE-ZONING REQUEST**

Mike Rietz reported that the City Council has unanimously voted to deny the Fankhanel re-zoning request. The Property Maintenance Task Force will meet and provide Mr. Fankhanel timelines for cleaning up his property.

#### **MORATORIUM ON CUPS IN THE I-1 DISTRICT**

Mike Rietz reviewed the need to evaluate the Conditional Uses in the I-1 zone based on the CUP received from the Omerovics. The main concern is with Subdivision 3. Conditional Uses: All other uses not listed above. The previous code had a list of Conditional Uses and did not leave the City with all types of uses being open to a CUP request. EDA would like to have input on the list of Conditional Uses to be included in the I-1 District. John Shockley, city attorney, provided the Planning Commission a process to enact a moratorium on CUPs in the I-1 zone. A moratorium can be in effect for a maximum of one year. A moratorium ordinance would need to be adopted. Mike Rietz asked the Commission members if their time would be better used to adopt a revised Conditional Uses subdivision rather than a moratorium ordinance. Detloff asked if a CUP request can be denied. Rietz replied that current language indicates uses are permitted but appropriate conditions are applied so the use fits in the community. The Commission members discussed the need for a moratorium since the current language does not adequately meet Conditional Uses concerns. The length of time to complete the process to implement a moratorium ordinance would be similar to the time required to revise the current Conditional Use language. Rietz indicated the Planning Commission needs to weigh the relative threat of another salvage yard or other undesirable business requesting a CUP before new language is in place. It was the consensus of the Planning Commission members to work on revising the current language rather than to create moratorium language. Rietz will research if the zoning ordinance can list uses not permitted rather than used that are permitted.

## **TRAINING OPPORTUNITIES**

The Planning Commission reviewed an upcoming videoconference. Any members interested in participating should contact Mike Rietz. Some members asked if this session would be available to be viewed on DVD or as a webinar.

## **BUILDING PERMIT LIST**

Building permits for March 2010 were reviewed.

## **MAIN STREET UPDATE**

Margaret Follingstad reported on Main Street updates that are proposed in conjunction with the Highway 52 reconstruction in 2011. New sidewalks will be installed along with additional street lights and infrastructure improvements. Decorative lights equipped with planter and banners arms that would be wired with a speaker system are proposed. It is also proposed to replace the trees along Main Street. Decorative paving may be added to the sidewalks from City Hall through the Record-Review.

The next Planning Commission meeting is Monday, May 3, 2010 at 6:30 p.m.

**4-5-10-4** Motion by Mortensen and seconded by Detloff to adjourn at 8:12 p.m. Unanimously carried.

Submitted by:

Pat Berndt  
Planning Commission Secretary