

**Barnesville Planning Commission
Regular Meeting
Monday, April 4, 2011**

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

Members present: Steve Mortensen, Merlin Strom, Nathan Gemar, Mike Detloff, Paul Karsnia, Margaret Follingstad, and Mike Rietz, City Administrator. Absent: Brent Berg

Others present: Karen Lauer, Roland Holm, Roger Cooper, Todd Henrickson, Lori Henrickson, Jim Braton Jr., Kim Peterson, Corey O'Leary, Ross Amundson, Dave Stetz, Ruth Power and Pam Aakre of the Barnesville Record-Review.

AGENDA

4-4-11-01 Motion by Mortensen and seconded by Follingstad to approve the agenda with the addition of a discussion of a property maintenance issue at 902 4th St. SE. Unanimously carried.

MINUTES

4-4-11-02 Motion by Follingstad and seconded by Gemar to approve the minutes of the March 7, 2011 meeting. Unanimously carried.

Public Hearing – An ordinance amending Section 11.22, Subd. 3 to add Locker Plant as a Conditional Use in the C-3 Zone

4-4-11-03 Motion by Detloff and seconded by Karsnia to open the public hearing at 6:35. Unanimously carried.

Staff report was given by Mike Rietz. He indicated that this Public Hearing was for the purpose of considering adding Locker Plant as a conditional use in the C-3 zone. The C-3 zone is a fairly new zoning district and after hearing at the March meeting of the interest from Jason Stetz in opening a locker plant in the Commercial park, which is zoned C-3, the Planning Commission decided to schedule this public hearing to evaluate whether this particular use met the vision of the new C-3 zoning district. The EDA Board, who is the owner of the land in question and the Planning Commission's partner in developing the vision for development in Barnesville also evaluated the proposed language change. It is the recommendation of that Board that a locker plant is not in line with their vision for the C-3 zone, but that they continue to support a locker plant as a conditional use in the I-1 zone. The staff recommendation was also to not add locker plant as a use in the C-3 Zone.

Roger Cooper asked some questions about what land in the commercial park is zoned C-3 and I-1.

Kim Peterson expressed some concerns about the negative impact that allowing a locker plant in the C-3 zone would have on his residential development immediately to the south.

Lori Henrickson expressed concern about the change as a resident in the area and that they would not have built a house at that location had they known a use of this type could go into the commercial park.

Dave Stetz stated that he wished that he had known earlier on that his son's locker plant proposal would have such difficulty getting approved.

4-4-11-04 Motion by Karsnia and seconded by Mortensen to close the public hearing at 6:55. Unanimously carried.

4-4-11-05 Motion by Detloff and seconded by Follingstad to not add locker plant as a conditional use in the C-3 zone. Unanimously carried.

PUBLIC HEARING FOR A VARIANCE AT 113 5TH AVE SE

4-4-11-06 Motion by Mortensen and seconded by Detloff to open the Public Hearing at 7:00. Unanimously carried.

Staff report was given by Mike Rietz. Jim Braton, the owner of the property at 113 5th Ave. SE has applied for a 5-foot variance to the side setback and a 4-foot variance to the rear setback for a garage on this property. Those setbacks would place the building on the side property line and one foot from the rear property line. This garage replaces a garage that was shared by the two properties and straddled the property line. A two-foot access easement has been negotiated with the neighboring property owner and recorded at the courthouse. The staff recommendation is to approve the variance with conditions, one of which would be to require the building to be entirely on the applicant's property. That means that if the building is to be allowed right on the property line, the building could not have an overhang, because that overhang would extend across the property line.

Jim Braton stated that he was fine with building the garage without an overhang. What was the most important to him was that the building be allowed to be constructed as close to the side lot line as possible in order to give the greatest clearance to past the house in order to enter the garage.

Ruth Power asked that the Planning Commission place conditions on the variance that provide deadlines for completion of construction that are the same as in the easement agreement.

4-4-11-07 Motion by Follingstad and seconded by Detloff to close the public hearing at 7:25. Unanimously carried.

4-4-11-08 Motion by Mortensen and seconded by Detloff to approve a variance five-foot variance to the side yard setback and a four-foot variance to the rear setback for garage at 113 5th Ave. SE with the following conditions:

1. The garage shall be built so that the entire structure is on the applicant's property. No overhang or other type of protrusion from the building will be allowed to cross the property line.
2. Construction on the garage shall be completed by July 1, 2012 and a wood dog-eared privacy fence shall be built on the east line of the two-foot access easement by June 30, 2011.
3. This variance is subject to all other zoning ordinances.
4. The City of Barnesville reserves the right to add, delete, or amend these conditions if health, safety of welfare considerations warrant. No action to add, alter, or amend conditions will occur except after mailed and published notice and a public hearing before the Planning Commission to consider such addition, deletion, or alteration of these conditions.
5. The applicant agrees to revocation of the variance upon verifiable evidence of violation of any of the terms and conditions listed herein. Said revocation of other violations not listed in the variance will not occur except after mailed and published notice and a public hearing before the Planning Commission to establish a record of said violations and to give the petitioner a right to enter into the record any mitigating or contradicting evidence.

DISCUSSION OF OFF-STREET PARKING ORDINANCE

Mike Rietz reviewed the first draft of a new off-street parking ordinance with the Planning Commission. This ordinance is being recommended by City Attorney John Shockley as a way to deal with off-street parking in a comprehensive manner. Currently there are sections regulating parking in many places in the City Code and this would address all off-street parking issues in one section of the Zoning Code. City Attorney Shockley will be present at the May meeting to go over this with the Commission in more detail. Rietz asked the commission to review the ordinance and prepare any questions they might have for the May meeting.

DISCUSSION OF PROPERTY MAINTENANCE ISSUES AT 902 4TH ST SE

Chairman Strom mentioned that he has received complaints from neighbors regarding the bus in the backyard of this property. Rietz indicated that they would take it up at the next property maintenance task force meeting and that the police department would likely make it part of their annual spring nuisance enforcement efforts.

BUILDING PERMIT LIST

The building permits for March were reviewed.

NEXT MEETING DATE

The next Planning Commission meeting is scheduled for Monday, May 2, 2011 at 6:30 p.m.

4-4-11-09 Motion by Detloff and seconded by Mortensen to adjourn at 7:55 p.m. Unanimously carried.

Submitted by:
Michael Rietz
City Administrator