

**Barnesville Planning Commission
Regular Meeting
Monday, May 3, 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, Roland Holm, Don Sakry and Pam Aakre of the Barnesville Record-Review.

AGENDA

5-3-10-01 Motion by Berndt and seconded by Mortensen to approve the agenda with the deletion of approval of the March 1, 2010 minutes of the joint meeting with the Park Board. Unanimously carried.

MINUTES

5-3-10-02 Motion by Follingstad and seconded by Karsnia to approve the minutes of the April 5, 2010 meeting. Unanimously carried.

REVISIONS TO ACCESSORY BUILDING ORDINANCE

Mike Rietz reported that the City Council requested that the Planning Commission review the Accessory Building Ordinance further. Mike Rietz reviewed the proposed language change in Subd. 9 Height. The City Council was concerned with the ten foot maximum height restriction on accessory buildings located on larger properties. The proposed language increases the maximum height to 12' but also increases the rear and side yard setbacks to 10'. This language, if adopted, would require modification to the R-1 and R-2 sections of the zoning code. One contractor has expressed concern with 12' sidewalls in their development since there is no covenant to restrict height. The Planning Commission discussed the proposed language revisions. The Planning Commission suggested further revision to the language to increase the allowable sidewall height of accessory buildings in the rear yard to 12 feet on properties that are 30,000 square feet or larger and to set the rear and side yard setbacks to 15 feet.

The Planning Commission members also discussed the intent of the phrase "from the finished floor" in Subd. 9. The language was clarified to state that the height of sidewalls is to be measured from the finished floor to the top plate of the wall in the interior of the accessory building. Roland Holm asked for clarification on the language in Subd. 11 that states "with an order of demolition from the city or its building inspector." He questioned if the building inspector has the authority to prepare an order of demolition. Rietz will check with the City Attorney, John Shockley on this matter.

5-3-10-3 Motion by Berg and seconded by Karsnia to recommend to the City Council to approve the amended Accessory Structure language. Unanimously carried.

CUPS IN THE I-1 DISTRICT AND POSSIBLE CREATION OF A C-3 ZONING DISTRICT

Mike Rietz reported that he and Karen Lauer have discussed CUPS in I-1 Zones with the Commercial Development Committee of the EDA. EDA is concerned with changes in the I-1 Zone because they have the commercial park and the changes may impact the available uses in the commercial park. The Commercial Development Committee felt that the commercial park is sufficiently different from the I-1 area along the railroad track that it may be more appropriate to create a new high-density commercial zoning district for areas such as the commercial park. The creation of a C-3 Zoning District may simplify the changes for the I-1 Zone language. The Commission members reviewed the previous code that was in effect prior to the creation of the commercial park. It was noted that in Subd. 3. Conditional Uses item H. Auto

Storage Yard and Junk Yard would need to be removed. In Subd. 2. Permitted Uses Item A should be changed to Retail Businesses and item E should be changed to Warehousing of non-explosive material or equipment. The list of permitted and conditional uses will need to be defined a little more carefully and may need to address uses such as chemical fertilizer storage. Light Manufacturing is a permitted use in the prior ordinance language. Light Manufacturing is defined in the ordinance definitions. Manufacturing is a conditional use but may require further definition to possibly leave high impact industries off the list. The new C-3 Zone would incorporate several permitted uses under the current I-1 Zone. The permitted uses should be lower impact since the commercial park is in the well head protection district. Rietz will prepare proposed C-3 and I-1 ordinance language for the Planning Commission to review at the June meeting.

CUPS FOR FENCES

Mike Rietz reviewed the requirement of a CUP in order to allow fences to be placed in utility easements. Rietz indicated he is not sure if this requirement has been enforced. Property owners question the necessity to pay for a CUP when their neighbor did not go through the process. If the City needs to work on utilities in the easement, the fence needs to be moved and a CUP is one way to document the requirement for moving. One point of confusion is that a building permit is not required for a fence so how does a property owner know if they need a CUP and how does the city know when a fence is going up. There is concern from the utilities on the increasing amount of building on easements. It may be easier to put language on regulating fences in easements into the ordinance rather than to go through the CUP process. Rietz will look at possible language for easement restrictions and bring it back to the June meeting.

RILEY VARIANCE APPLICATION

Mike Rietz reported that Eric and Jennifer Riley had completed a variance application for a 24 X 24 garage at 406 7th St NE. The variance request has been withdrawn due to the change in size to a 20 X 24 garage. The building plans are in process and appear to comply with the ordinance in regard to lot coverage. Since the variance request has been withdrawn there is no need for a public hearing or any action by the Planning Commission.

BUILDING PERMIT LIST

Building permits for April 2010 were reviewed.

The next Planning Commission meeting is Monday, June 7, 2010 at 6:30 p.m.

5-3-10-4 Motion by Karsnia and seconded by Detloff to adjourn at 8:14 p.m. Unanimously carried.

Submitted by:

Pat Berndt
Planning Commission Secretary