

**Barnesville Planning Commission  
Regular Meeting  
Tuesday, September 2, 2008**

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

Members present: Steve Mortenson, Margaret Follingstad, Merlin Strom, Pat Berndt, Mike Detloff, Gary Fraedrich, Mike Osten and Karen Lauer, Zoning Administrator.

Members absent: Aaron Grommesh.

Others present: David Lamb, Eva Lamb, Jean Carver, Larry Cuypers, Dave Johnson, Melissa Johnson and Pam Aakre of the Barnesville Record-Review.

**AGENDA**

**09-02-08-01** Motion by Osten and seconded by Fraedrich to approve the agenda. Unanimously carried.

**MINUTES**

**09-02-08-02** Motion by Mortenson and seconded by Osten to approve the minutes of the June 2, 2008 meeting. Unanimously carried.

**GEOHERMAL HEATING SYSTEMS**

Merlin Strom reviewed the fee that the City Council had decided for Subd. 7. Karen Lauer noted that the City Council had also changed the time for repairs to twenty-four hours in Subd. 15.

**PUBLIC HEARING: CUP REQUEST FROM DAVE & MELISSA JOHNSON TO OPERATE MODULAR HOME SALES FACILITY IN I-1 DISTRICT**

**09-02-08-03** Motion by Mortenson and seconded by Follingstad to open the public hearing on the CUP request from Dave & Melissa Johnson to operate modular home sales facility in I-1 district. Unanimously carried.

Karen Lauer reviewed the information on the CUP request. The City Council has approved Home and Trailer Sales as a conditional use in the I-1 zone. Karen Lauer reviewed the conditions that must be met for a conditional use to be approved. The commercial park must be selective about the type of businesses going into it because of its proximity to residential areas. Barnesville EDA felt this business is a perfect match for the area. Dave Johnson commented that no trailers will be on the lot; instead the lot will only be used to display modular constructed homes. The display will look like a community because every house will look like a structure on any street in town. Dave Johnson commented that everything is ready to go from the factory. He hopes to be going by the middle of October with the landscaping to be completed in the summer of 2009. The office will be a modular home. The plan is to have four structures come in this fall and a couple more come next year. Dave Johnson commented that carriers for the homes may be stored for a short time on the lot. There is the possibility that structures may temporarily sit on the site waiting for delivery to a customer's site if the site is not ready when the structure is delivered. The pole building for storage will have colored steel siding with wainscoting. Karen Lauer noted that all required publishing and mailings were made. One call was received prior to the meeting questioning if trailer homes would be placed on the lot. Dave Johnson noted that initially the business would have four employees. The employee parking area would be covered in class 5. The customer parking lot and driveway would be either asphalt or concrete. Some existing curb would be removed for the driveway and parking lot.

**09-02-08-04** Motion by Osten to close the public hearing on the CUP request from Dave & Melissa Johnson to operate modular home sales facility in I-1 district at 7:07 p.m. Unanimously carried.

**09-02-08-05** Motion by Fraedrich and seconded by Detloff to recommend to the City Council to approve the CUP request from Dave & Melissa Johnson to operate modular home sales facility in I-1 district with the following conditions. Unanimously carried.

1. The Development Control Board approves the plans and specs for the development of the property.
2. Building permits will be obtained for the construction of the 40'x80' pole building as well as the office which will be required to be placed on a permanent foundation per the City's zoning ordinance.
3. Only modular homes can be displayed and sold on the property. If trailer units are to be added to the inventory, application will be required for an additional Conditional Use Permit.
4. The City of Barnesville reserves the right to inspect the property for compliance with these conditions.

### **PUBLIC HEARING: CUP REQUEST FROM LAWRENCE CUYPERS TO REDUCE SIDE AND REAR YARD SETBACKS TO CONSTRUCT GARAGE**

**09-02-08-06** Motion by Osten and seconded by Follingstad to open the public hearing at 7:09 p.m. on the CUP request from Lawrence Cuypers to reduce side and rear yard setbacks to construct a garage. Unanimously carried.

Karen Lauer noted that the notice of the public hearing had been published and neighboring property owners had been notified as required. One call had been received prior to the meeting from an adjacent property owner who questioned if the garage would be used to house dogs and the answer to that question was no. Karen Lauer noted that funds had been put into improving the property. This is a unique situation since the house was built in 1906, is located next to a church, the side yard setback abuts the church lot, the rear yard abuts the alley, the lot is very narrow, a house to the south has an existing garage that is two feet from the property line, and a utility pole is in the middle of the lot and cannot be moved. Larry Cuypers commented that the only way a garage can be built on this lot is to obtain an access easement from the neighbors, David and Eva Lamb. The property has recently had a fence installed. The garage would line up with the north side of the house. David and Eva Lamb expressed concerns with snow removal after the garage is built, with the lack of communication from Larry Cuypers regarding the proposed garage, and the placement of the garage. Karen Lauer noted that input from neighboring property owners is one point of consideration for the Planning Commission members. Karen Lauer reviewed the points to consider for approving a variance.

**09-02-08-07** Motion by Mortenson and seconded by Osten to close the public hearing on the CUP request from Lawrence Cuypers to reduce side and rear yard setbacks to construct a garage at 7:57 p.m. Unanimously carried.

Karen Lauer reviewed the findings of fact for a variance. Under state statute, the City Council must take action by October 15 on this variance request. The Planning Commission may choose to not take action at this meeting and wait until the October meeting to do so. A variance option is needed because building sites are not all equal and it is necessary to accommodate the unexpected. A variance is granted when strict enforcement of codes would create undue hardship for property owners. Planning Commission members requested a few more measurements of the proposed garage and lot. Planning Commission members recommended that Mr. Cuypers attempt to acquire the access easement from the Lambs prior to the next meeting. Karen Lauer will talk to Dave Riddering about snow removal, and will research the Huesman variance and Kolding building information.

**09-02-08-08** Motion by Follingstad and seconded by Detloff to table until the October 6 meeting action on the CUP request from Lawrence Cuypers to reduce side and rear yard setbacks to construct a garage. Unanimously carried.

### **DISCUSSION ON BUILDING DEMOLITIONS**

Karen Lauer reviewed the need to be able to get buildings demolished in an economical manner. If an owner can't afford to demolish a building, the owner stops paying taxes. The city also cannot afford to demolish the buildings. One comment was to check with the Hutterites to see what they would charge to demolish a building. Another comment was that it is the obligation of the City to improve the looks of the

city and it may be necessary to increase taxes to do so. Karen Lauer noted that she would relay this information to the City staff.

**GROUP WORKCAMP – JULY 26 – AUGUST 1, 2009**

Karen Lauer noted that the group work camp will be in the area next summer. The work camp will be housed in Hawley. Applications are due by October 1, 2008.

**BUILDING PERMIT APPLICATION PACKET**

Karen Lauer noted that the new application packet is now in place. The information is available at the City Hall and on the City's website.

**BUILDING PERMIT LIST**

Buildings permits for June 2 through August 27, 2008 were reviewed.

**OTHER ZONING CONCERNS**

Concerns were discussed regarding the appearance of the Ferrell Gas lot. Also discussed was the fence at the Poppel lot. Commission members asked Karen Lauer to find out if a CUP is not in compliance, can the CUP be revoked.

The next Planning Commission meeting is Monday, October 6, 2008 at 6:30 p.m.

**09-02-08-09** Motion by Detloff and seconded by Osten to adjourn at 8:43 p.m. Unanimously carried.

Submitted by:

Pat Berndt  
Planning Commission Secretary