

**Barnesville Planning Commission
Regular Meeting
Monday, February 6, 2006**

The regular meeting of the Barnesville Planning Commission was called to order by Chair Jeremy Krause at 6:30 p.m.

Members present: Merlin Strom, Jeremy Krause, Marlene Schell, Mike Osten, Steve Mortenson, Pat Berndt, and Karen Lauer, Acting Zoning Administrator.

Member absent: Gary Fraedrich.

Also in attendance were Michael Hannaher, Roland Holm, Mary Lien, Marvin Stetz, Cat Yokom, Roger Cooper, Sydni Mansager, Mary Lewis, Chad Felstal, and Karen Carpenter from the Record Review.

AGENDA

02-06-06-01 Motion by Osten and seconded by Strom to approve the agenda. Unanimously carried.

MINUTES

02-06-06-02 Motion by Berndt and seconded by Strom to approve the minutes of the January 4 and January 24, 2006 meetings. Unanimously carried.

PUBLIC HEARING: REZONING REQUEST FROM RED RIVER SERENITY MANOR

02-06-06-03 Motion by Strom and seconded by Mortenson to open the public hearing at 6:32 p.m. Unanimously carried.

Karen Lauer reviewed the request from Red River Serenity Manor to rezone their property located at 123 2nd Street NE from C-1 to R-2. Karen Lauer noted that the proper notification had been made with publication and mailings. Also, no comments were received prior to the meeting. Chad Felstal reviewed the request to rezone to R-2, which would allow the use as a single-family residence. Mr. Felstal indicated a purchase offer has been made and is contingent upon the rezoning to R-2. Jeremy Krause asked if any commercial interest has been received on this property. One possibility has been checked into but no definite offer has been made. Michael Hannaher indicated he didn't see any legal impediments to rezoning this property. The consensus was that it is in the best interest of all parties to get the property back in use. It was noted that it is tough to give up commercial property, but the property was residential earlier.

02-06-06-04 Motion by Schell and seconded by Strom to close the public hearing at 6:40 p.m. Unanimously carried.

Karen Lauer indicated it is staff recommendation to approve the rezoning of Lots 1-4, Block 32 to R-2. Rezoning is like an ordinance change. The Planning Commission will make a recommendation to the City Council, the City Council has two readings of the change, after the second reading the change is published and it becomes effective. Michael Hannaher indicated any action on this property probably would not affect any other properties since the circumstances for the property are unique.

02-06-06-05 Motion by Strom and seconded by Schell to recommend to the City Council to approve the request from Red River Serenity Manor to rezone Lots 1-4, Block 32 from C-1, Central Business District to R-2, Urban Residential District. Unanimously carried.

STAFF RECOMMENDATION ON PROPOSED FANKHANEL PROJECT

Karen Lauer reported that the home owned by Gay Fankhanel has existed as a basement home for about fifteen years. Karen Lauer is assisting in finding financing to allow the completion of a home on top of the basement. Current ordinance requires two sheltered parking spaces, but the original building permit was issued prior to this requirement so the property would be grandfathered. The building would follow the existing foundation. Roland Holm has inspected the foundation and indicated the foundation is sound.

POSSIBLE AMENDMENTS TO ZONING ORDINANCE– SECTION 20 – MANUFACTURED HOUSING and SECTION 31 – MOVED BUILDINGS

Karen Lauer noted that the City is out of compliance with state statute. The state has gone to great lengths to ensure there is no discrimination against manufactured homes. Karen noted the need to carefully consider the language so it doesn't make it difficult to make minor improvement of property. Staff recommendation is to delete the current Section 20.00 Manufactured Housing and replace it with:

Section 20.00 Permanent Foundation Required

20.01 All principle structures in R-1, R-2 and R-3 Zoning Districts shall have a permanent exterior perimeter foundation. The foundation shall meet all requirements of the International Building Code or the International Residential Code; whichever is applicable. This provision shall not allow post and beam or pier construction above grade as an exterior perimeter foundation. This provision shall not apply to the following attached accessory structures: decks, three or four season porches, landings, bay windows, fireplaces or chimneys, uncovered stairways, canopies or any other ornamental feature that is part of the design of the structure.

Karen Lauer reviewed that in the past the City has required manufactured home to have a CUP. This requirement is not legal since the rules for a manufactured home cannot be more restrictive than for any other home. Rules must pertain to all residential properties. A moved in existing home would still need a CUP. The Planning Commission asked if a doublewide trailer could be moved into a residential area. Karen Lauer indicated it could if it met all other requirements. Staff recommendation is to amend Section 31.00 – Moved Buildings as shown below.

Section 31.00

Moved Buildings

- 31.01 General: Subject to 31.02, no building over 150 square feet, will be moved within or into the City without first having obtained a conditional use permit (CUP). Any such building allowed by a CUP shall, at a minimum blend into the neighborhood to which it is moved and have an appearance in harmony with surrounding structures.
- 31.02 A manufactured home may be moved, but without a conditional use permit, provided the structure is a manufactured housing unit being relocated to a subdivision whose covenants do not restrict manufactured housing and provided said manufactured housing unit is in compliance with applicable State Statutes, the Manufactured Home Building Code and City Ordinances.

02-06-06-06 Motion by Strom and seconded by Berndt to call a public hearing for March 6 at 6:30 p.m. on Section 20 Manufactured Housing and Section 31 Moved Buildings. Unanimously carried.

PROPERTY MAINTENANCE CODES

Karen Lauer reviewed the draft Property Maintenance Codes with the Planning Commission. The Code Official will have responsibility and some leeway to work with property owners to rectify problems. Roland Holm felt it is better to work with people to get items cleaned up than to get real picky about things. Item D in Subd. 10 Penalty for Violations refers to administrative citations and civil penalties. Currently, the City code does not provide for administrative citations. The City Council needs to decide if they support administrative citations and if they do it will be necessary to put together language for such citations. The codes for both Property Maintenance and Administrative Citations could be discussed and adopted concurrently. Karen Lauer indicated the Planning Commission should have feedback from the City Council by the March meeting and could schedule a public hearing for April.

BUILDING PERMIT UPDATE

The permit report for January was reviewed.

CITY COUNCIL THANK YOU FOR DAVE NEUMANN

Karen Lauer reported that the City Council is planning a presentation to Dave Neumann at their meeting on Monday, February 13. If any Commission members would like to be there for the presentation, they are welcome to attend the meeting.

OTHER ZONING CONCERNS

Merlin Strom inquired about the “interim use” language for the City Ordinance. Karen Lauer indicated she is working on this item and will bring proposed language to a future meeting.

02-06-06-07 Motion by Strom and seconded by Osten to adjourn at 7:52 p.m. Unanimously carried.

Submitted by:

Pat Berndt
Planning Commission Secretary