

**Barnesville Planning Commission
Regular Meeting
Monday, June 5, 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, Gary Fraedrich, Steve Mortenson, Mike Osten, Pat Berndt, and Karen Lauer, Acting Zoning Administrator.

Members absent: Marlene Schell, and Aaron Grommesh.

Also in attendance were Jodene Miller, Karla Pierskalla, Ruth Power, Roland Holm, and Karen Carpenter from the Record-Review.

AGENDA

06-05-06-01 Motion by Strom and seconded by Osten to approve the agenda with the addition of Jim Braton and possible storage building at the athletic complex. Unanimously carried.

MINUTES

06-05-06-02 Motion by Strom and seconded by Mortenson to approve the minutes of the May 1, 2006 meeting. Unanimously carried.

PUBLIC HEARING: CUP APPLICATION – BARNESVILLE CHILD DAY CARE CENTER

06-05-06-03 Motion by Osten and seconded by Berndt to open the public hearing on the CUP Application from the Barnesville Child Day Care Center to operate and expand daycare facility serving over 12 people at 6:35 p.m. Unanimously carried.

At the May 1, 2006 meeting the Planning Commission recommended that the City Council amend the zoning ordinance to make a daycare a conditional use. The City Council is proceeding with the amendment. Jodene Miller reviewed the proposed expansion of the Barnesville Child Day Care Center. The first addition would be a structure, attached by a breezeway to the existing structure that would be used for school age children and could also be used for activities by toddlers. The second portion of the expansion would be additional space added to the current structure to give more room for infants. Karen Lauer noted that the Day Care Center owns three lots and these need to be merged into one lot. This is a simple process that would need to be approved by the City Council and then a letter is sent to the county requesting the merger. Ruth Power did express a concern regarding cars parking on the wrong side of the street in front of the Day Care Center when dropping off or picking up children. She indicated this is a safety concern. Ruth also indicated she has no concerns on the Day Care Center being in the neighborhood or on the proposed expansion.

06-05-06-04 Motion by Strom and seconded by Fraedrich to close the public hearing at 6:52 p.m. Unanimously carried.

Jeremy Krause noted that the issue before the Planning Commission is just the expansion. The expansion must meet setback requirements or it would be necessary to request a variance if the setbacks cannot be met.

06-05-06-05 Motion by Fraedrich to recommend to the City Council to approve the Conditional Use Permit by the Barnesville Child Day Care Center for the operation and expansion of a daycare facility serving over 12 people with the following conditions. Unanimously carried.

1. The three separate lots which are owned by the Barnesville Child Day Care Center will be merged into one parcel. By doing this the north property line will become the front of the lot.

2. Any proposed construction must meet the setback requirements and lot coverage restrictions of the R-2 zoning district.
3. All construction will adhere to the standards of the International Building Code.
4. The City of Barnesville reserves the right to inspect the property for conformity with these conditions.

PUBLIC HEARING: CUP APPLICATION – KARLA PIERSKALLA TO MOVE AN EXISTING GARAGE ONTO HER PROPERTY

06-05-06-06 Motion by Fraedrich and seconded by Osten to open the public hearing for the CUP Application from Karla Pierskalla to move an existing garage onto her property at 7:00 p.m. Unanimously carried.

Karen Lauer reviewed the request to move a garage to the Pierskalla property. The CUP is required for moving a building over 150 sq. ft. The access to the property is via 4th St NW which is actually McGrath Park Road. This allows the driveway access to be gravel. Karla Pierskalla reviewed the proposed project. She indicated that the current slab will need to be extended and repaired. Karen Lauer noted that the building inspector will need to approve the building and the existing slab. It was also noted that all setback requirements will be met. Roland Holm noted he had looked at the garage and ceiling joists will need to be put in the garage. No public comment was received.

06-05-06-07 Motion by Strom and seconded by Berndt to close the public hearing at 7:10 p.m. Unanimously carried.

06-05-06-08 Motion by Strom and seconded by Mortenson to recommend to the City Council to approve the Conditional Use Permit for Karla Pierskalla to move an existing garage onto the property at 401 2nd Ave NW with the following conditions. Unanimously carried.

1. Construction will adhere to the standards of the International Building Code.
2. The City of Barnesville reserves the right to inspect the property for conformity with these conditions.

CHRIS MCKAY CONDITIONAL USE PERMIT

Karen Lauer reviewed the information on the six month CUP issued to Chris McKay which expired on May 15. Chris McKay has indicated to Karen Lauer he intends to lease the Likness building west of the golf course. Ms. Likness needs to notify current renters that the space will no longer be available. Karen Lauer noted she will monitor the situation and ensure that the relocation of the McKay business takes place.

SUMP PUMP DRAINAGE OPTIONS

Karen Lauer reviewed pricing on pipes under the curb that homeowners could connect their sump pump drainage hoses to. The cost is \$6.50 per linear foot which would be at \$700 per lot in the new Peterson/Gilbertson addition. Delbert Peterson has indicated is looking at other drainage solutions.

Karen Lauer reviewed a possible information sheet for all residents of the city to help them deal with the sump pump hose issue. Karen noted that Fargo has an option to allow sump pumps to be drained into the sewer system from October through March for a \$36 fee. Commission members questioned if the lagoon would be able to handle the city allowing sump pumps to go into the sanitary sewer. The Planning Commission members recommended that the City Council send the flyer to all residents and consider a winter ordinance similar to Fargo's.

WATER RECREATION AND WATER STORAGE FACILITIES

Karen Lauer reported that the City Council had concerns with the language requiring above ground swimming pools two feet or more in depth to comply with the regulations in Sec. 11.52 Water Recreation and Water Storage Facilities. The main concern was the requirement that such swimming pools would need to be enclosed by a fence. Karen Lauer noted that the Fargo and Moorhead ordinances do not differentiate

between in ground or above ground swimming pools. The current city ordinance does require a fence around a pool but it is not being enforced at this time. Planning Commission members felt the language should not be amended until a legal opinion on liability is obtained. Commission members also felt it would be important to check if the state has any code requirements on swimming pool enclosures. The consensus of the Planning Commission members is to leave the language as it is written.

06-05-06-09 Motion by Osten and seconded by Mortenson to recommend to the City Council to retain the verbiage as is in Sec. 11.52 Water Recreation and Water Storage Facilities. Unanimously carried.

PUBLIC HEARING – AMENDMENT TO RESIDENTIAL FENCE ORDINANCE

06-05-06-10 Motion by Strom and seconded by Fraedrich to open the public hearing on the amendment to the residential fence ordinance at 7:49 p.m. Unanimously carried.

Karen Lauer reviewed the current fence ordinance language. The current ordinance does not specify the front yard height of fences. No public comments were received.

06-05-06-11 Motion by Strom and seconded by Osten to close the public hearing at 7:59 p.m. Unanimously carried.

Commission member discussed the allowable height of the front yard fences and felt that the three foot option for solid fences was better than the two foot option.

06-05-06-12 Motion by Strom and seconded by Fraedrich to recommend to the City Council the following addition to Sec.11.61 Fencing and Screening. Unanimously carried.

Subd. 5.

H. Fences in required front yards shall not exceed thirty six (36”) inches in height except that fences that are at least seventy five percent (75%) open may be forty eight (48”) inches in height.

JIM BRATON REQUEST

Jim Braton reported he is planning to move a house to 117 5th St SW in Barnesville. The house was manufactured in 1979, an entry has been added, and it has been completely remodeled. Karen Lauer noted that a garage would need to be built to meet the requirement of two covered parking spots. Jim Braton plans to excavate the current property, prepare a new foundation, install a center bearing wall, and possibly install drain tile and a sump pump hole. Karen Lauer indicated that this move does not require a Conditional Use Permit but it would require a building permit. Karen also noted that the garage must be completed before the house is sold or leased. Also a concrete or asphalt driveway must be completed. Roland Holm noted the building inspector would need to issue a certificate of occupancy.

PUBLIC HEARING - AMENDMENT TO SIGNAGE ORDINANCE CREATING CRITERIA FOR IDENTIFICATION SIGNS IN R-1 AND R-2 DISTRICTS.

06-05-06-13 Motion by Osten to open the public hearing at 8:21 p.m. on the amendment to the Signage ordinance for identification signs in R-1 and R-2 districts. Unanimously carried.

Karen Lauer reviewed the need for the additional language to address signage by churches, schools, hospitals, clinics, and libraries. The Planning Commission members reviewed the proposed language. No public comments were received.

06-05-06-14 Motion by Strom and seconded by Osten to close the public hearing at 8:23 p.m. Unanimously carried.

06-05-06-15 Motion by Mortenson and seconded by Fraedrich to recommend to the City Council the approval of the addition to Section 17.12 R-1 and R-2 Residential Signs as follows. Unanimously carried.

d. Churches, schools, hospitals, clinics, libraries or similar uses may be allowed one identification sign, subject to the approval of a conditional use permit, provided that:

1. Such signs shall be solely for the purpose of displaying the name of the institution and its activities or services
2. The sign is not to exceed eighty (80) square feet aggregate in area
3. Height is not to exceed 8 feet
4. Width is not to exceed 12 feet
5. The sign is of a monument styling, rather than pole mounted
6. There is ground landscaping surrounding the base of the sign
7. There are not flashing lights of any type, and
8. Such other terms and conditions as may be appropriate and allowed by law.

OFF STREET PARKING IN R-1 AND R-2

Karen Lauer requested input from the Commission members on the language and intent of the Off Street Residential Restrictions specifically the language "Recreational equipment on trailers and motor homes may be parked on concrete or asphalt residential driveways." Karen has received a request from a homeowner to park recreational equipment on a gravel area next to the garage. The question is whether or not gravel would be allowed. Karen reported that right now there is no ordinance to restrict the use of gravel. Commission members discussed the options. Some concern was expressed over the use of gravel. Commission members indicated the intent was to help remove recreational equipment from the streets and to allow the parking of such equipment on driveways. Such an addition next to a garage would in effect be connected to the driveway and would need to be connected with concrete or asphalt.

CONDITION OF POPPEL SALVAGE YARD

Barnesville EDA is concerned with the condition of the Poppel Salvage Yard and with possible zoning ordinance violations. The EDA requested that the Planning Commission review the situation. The language on Phasing-Out of Nonconforming Automotive Salvage or Junk Yards indicates that yards can remain if they are completely enclosed with a fence that is at least eight feet high. It has been noted that the fence around the Poppel Salvage Yard is in various stages of disrepair. The yard is not completely enclosed with a continuous fence. The railroad has been concerned with safety issues due to metal on the tracks. Karen Lauer indicated the Planning Commission could advise the City Council that the condition of the Poppel Salvage Yard is a zoning violation and is in nonconformance with the ordinance. The City Council could take action. Commission members discussed possible courses of action and decided it would be best to get a legal opinion on the appropriate action and continue the discussion at the next meeting.

LEADERSHIP BARNESVILLE PROGRAM

Karen Lauer reviewed the leadership program. She noted that if a Planning Commission member were interested in participating, the City would pay the tuition for the program.

BUILDING PERMIT LIST

No information was available at this time.

POSSIBLE STORAGE BUILDING AT ATHLETIC COMPLEX

Jeremy Krause noted that the school property is zoned R-2. A proposed 30x50 storage building would exceed the height restrict and well as the square footage allowance. Commission members discussed possible ways to address the situation. The consensus of the members was to change the school property to P-Zone. If a public hearing was held on June 26, the City Council could have their readings of the change on July 10 and August 14. This would still allow time to construct the building prior to the beginning of the school year.

06-05-06-16 Motion by Berndt and seconded by Strom to call for a public hearing on June 26, 2006 at 6:30 p.m. on rezoning the public school property as Public Zone. Unanimously carried.

The next Planning Commission meeting is June 26 at 6:30 p.m.

06-05-06-17 Motion by Osten and seconded by Berndt to adjourn at 9:22 p.m. Unanimously carried.

Submitted by:

Pat Berndt
Planning Commission Secretary