

**Barnesville Planning Commission  
Regular Meeting  
Monday, October 2, 2006**

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

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

Members absent: Gary Fraedrich, Mike Osten, and Aaron Grommesh.

**AGENDA**

**10-02-06-01** Motion by Berndt and seconded by Strom to approve the agenda. Unanimously carried.

**MINUTES**

**10-02-06-02** Motion by Strom and seconded by Schell to approve the minutes of the September 5, 2006 meeting. Unanimously carried.

**CONDITION OF POPPEL SALVAGE YARD**

Karen Lauer reported that significant improvement has been made. Mr. Poppel has put in a new large gate on the south end of the yard, and he has purchased some chain link gates and security slats for the main gate on the east side. The east side has not been completed but is being worked on. Karen Lauer expressed her belief that Mr. Poppel is being diligent in trying to abide by the ordinance and is keeping communication going. Karen Lauer noted she had relayed to Mr. Poppel that it is his responsibility to make sure the gates are closed.

**PUBLIC HEARING: INTERIM USE PERMITS**

**10-02-06-03** Motion by Strom and seconded by Mortenson to open the public hearing on Interim Use Permits at 6:40 p.m. Unanimously carried.

Karen Lauer reported that no comments were received prior to the meeting. The Commission members reviewed the proposed language. It was noted that it has been a legal recommendation to add the interim use language.

**10-02-06-04** Motion by Strom and seconded by Schell to close the public hearing at 6:43 p.m. Unanimously carried.

**10-02-06-05** Motion by Strom and seconded by Berndt to recommend to the City Council to approve the Interim Use language as follows to Section 11.81 of the Barnesville Municipal Code. Unanimously carried. Subd. 5. Interim Uses. The Board shall have the power to authorize interim uses if the following requirements are met:

- A. The use conforms to the zoning regulations;
- B. The date or event that will terminate the use can be identified with certainty;
- C. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- D. The user agrees to any conditions that the governing body deems appropriate for permission of the use.
- E. Public hearings on the granting of interim use permits shall be held in the same manner as required for variances and conditional use permits.
- F. Unless otherwise specified by the Planning Commission at the time it is authorized, an interim use permit shall expire if the applicant fails to utilize such interim use permit and fulfill each and every provision attached thereto within one year from the date of its authorization.

G. Applicants will be required to pay a \$150 fee when filing for an Interim Use Permit.

### **DISCUSSION ON C-1 ZONING REQUEST**

Karen Lauer reported that she has been contacted by an individual interested in purchasing the former Photo Loft building. The individual would like to operate an art gallery/studio in the front of the building and have living space in the rear of the main floor. The individual would like to have high school students display art work in the gallery. The proposal is for 500 to 800 square feet for the art gallery/studio and 1200 to 1500 square feet of living space. Karen Lauer noted that the current C-1 Central Business District language does not allow for owner occupied living on the main level of a building. The City attorney indicated the zoning ordinance could be amended to allow main floor mixed use as a Conditional Use if the Planning Commission would like to make that change. The attorney indicated it would be prudent to put together specific conditions as base line conditions under which this would be allowed. Karen Lauer noted that it is not legal to require the occupant of the living space to be the owner of the building. Jeremy Krause and Merlin Strom both expressed concerns with making such a change. The Planning Commission has been committed to keeping downtown as C-1. It was the consensus of the Planning Commission members to not pursue any further action at this time.

### **DISCUSSION ON ZONING ORDINANCE ENFORCEMENT**

Karen Lauer reported that the City attorney sees a need to amend the zoning ordinance to include very specific language on steps and processes for ordinance enforcement. The consensus of the Planning Commission members is to have the attorney draft zoning ordinance enforcement language.

### **LAND USE ISSUES TRAINING**

The Commission members discussed the upcoming training on October 18 in Detroit Lakes. Karen Lauer, Merlin Strom, and Pat Berndt indicated they plan to attend. Any other interested member will notify Karen as soon as possible.

### **DISCUSSION ON ADDITIONS TO P-ZONE**

Jeremy Krause noted that it was the intention of the Planning Commission to add permitted uses to the Public Zone. It is easier and more economically feasible to make all additions at one time. Karen Lauer noted that she would need to use the utility system to obtain the necessary information to mail notices to every resident of Barnesville. The City attorney has indicated that a large scale map would need to be mailed to residents so they can see the proposed P-Zone locations in relation to their homes. At the November Planning Commission meeting, members will discuss what uses to add. The second phase will be to then place properties in the P-Zone. Both phases will require a public hearing.

### **BUILDING PERMIT LIST**

Planning Commission members reviewed the building permit list from September 1 through September 30, 2006.

### **OTHER ZONING CONCERNS**

Karen Lauer reported that the EDA has purchased the house north of the Barnesville Chiropractic Clinic. The structure will be torn down to make a commercial lot available.

The next Planning Commission meeting is Monday November 6, 2006 at 6:30 p.m.

**09-05-06-08** Motion by Strom and seconded by Mortenson to adjourn at 7:30 p.m. Unanimously carried.

Submitted by:

Pat Berndt  
Planning Commission Secretary