

**Barnesville Planning Commission
Special Meeting
Monday, September 13, 2021
City Hall Council Chambers**

Meeting was called to order at 5:30 p.m. by Brent Berg.

Present: Steve Mortenson, Michael Harbin, Paul Karsnia, Dawn Stuvland, Rick Hamman, Brent Berg.
Absent: Dustin Korynta

Others Present: Karen Lauer, John Chattin, Chris Hoppe

Approval of Agenda: No additions or changes to the agenda.

**09-13-2021-01 Motion by, second by to accept the agenda as listed.
Motion approved.**

- 1. Review the request by Chris and Michelle Hoppe to amend the zoning of their property located at 402 Front Street North from C-2 Commercial District, to R-2, Urban Residential District, in addition, if rezoning is approved, the request for a 832 square foot variance to construct a 30' x 50' detached accessory building**

The public hearing for the zoning request will be during the City Council meeting. The rezoning is what will allow for the variance to be considered. The City Attorney stated that the two items could be considered concurrently together, as long as two recommendations come out of the meeting and are then forwarded to the City Council.

- **To rezone their property from C-2 to R-2.** Their property abuts R-2, so per State Statute, the rezoning action would be legal; it would not be considered spot zoning because it is connected to the R-2 zone. This property was rezoned as C-2 back in 1994. At that time, the Planning Commission and City Council were adopting an entirely new zoning map and significant changes were made. The change was made based on the thought process that there would be extensive amounts of interest in commercial development on the stretch of Front Street from the gas stations to the downtown area. Prior to that change, Chris Hoppe's grandfather owned the property and Chris eventually purchased the property from him. Chris and Michelle have since made extensive improvements to the property.
 - The vision from 1994 has not come to pass.
 - We now more clearly understand what is going to happen to the property – that Chris and Michelle plan to use the property as a single-family residence for years to come. Karen and John have discussed the situation and determined that the request from the Hoppe's is reasonable and it more closely represents how the property and the property in the area is being used. Changing to R-2 would be compatible with the neighborhood as it has been for years. The zoning change was more visionary back in 1994.

If the property remains C-2, Hoppe's can build whatever size building they want and it doesn't have to match the house. If the property is rezoned to R-2, there is a square footage issue with the size of building they want to build, but the structure would match the house.

- The size of the building substantially exceeds what is allowed by ordinance. Also, as per code, the accessory structure cannot be taller than the primary structure.

- 2. Public Hearing – Chris and Michelle Hoppe request for an 832 square foot variance to construct a 30' x 50' detached accessory building on their property located at 402 Front Street North.**

09-13-2021-2 Motion by Rick, second by Dawn, to open the Public Hearing at 5:47 p.m. Motion approved.

Chris Hoppe provided background on the proposed project. Besides the applicant there were no members of the public in attendance at the meeting.

Lauer provided background information on the Findings of Fact. Refer to Agenda Packet page one for lot size calculation and house ground coverage calculation. These calculations do take into regard existing accessory buildings. Currently, there is a 12' x 22' attached garage and an 18' x 26' detached accessory building on the property. The existing detached accessory building will remain on the property.

The color and materials of the proposed detached building will match the existing home. The exterior of the existing detached accessory building will be remodeled to match both the existing home and new accessory building.

The surrounding area includes several commercial properties. The applicant would prefer constructing a residential accessory structure rather than a commercial structure. Commercial structures have different requirements for construction and are much more costly to build.

The new structure will be attached to the current detached accessory building to the north. The current accessory building is the old Comstock Post Office. According to ordinance, accessory buildings cannot take up more than 25% of the lot space. Current accessory buildings take up less than 10% of the lot area, and the construction of additional accessory building is stays within the 25% guideline.

09-13-2021-3 Motion by Dawn, second by Steve to close the Public Hearing at 6:02 p.m. Motion approved.

If the property stays C-2, the accessory structure can be constructed without size restriction and the structure does not have to match the house. Zoning the property R-2 requires a variance because the proposed size of the accessory structure exceeds what is allowed by ordinance. R-2 would require that the accessory structure match the house.

There was discussion back and forth regarding the ramifications of retaining the C-2 zoning or changing to R-2 zoning. There was also discussion regarding Chris's lawn care business and whether or not it could be operated out of an area zoned R-2. It was stated that the lawn care business would fall under the city ordinance regarding home-based businesses. Currently the Hoppe's residence is considered non-conforming use of commercially zoned property. The ordinance states that non-conforming uses cannot be expanded so as to take up additional land area; therefore, construction of a residential garage would not be allowed.

There was a concern raised regarding the structural integrity of the current detached accessory building. Karen and Chris met with Sid, the city's building inspector, and he felt that the current plan would be a reasonable solution to the situation. Chris stated that the detached accessory building is sitting on blocks, but he is unsure about how deep the blocks are. The new structure will be heated, but the old structure will not be. There will be a thermal break between the current structure and the new structure. It was also suggested to not attached the new structure to the existing structure, and instead line the north side of new structure up with the north side of the house.

The size of the building was discussed, because the potential total square footage of accessory structures on the property will far exceed what is allowable by city ordinance for residential property, it was suggested to decrease the size of the new structure to 26' by 50' to match the width of the current detached accessory building, because the new structure will be attached to it.

Several commission members expressed concern regarding the requested square footage of the new building and the adding new construction to the old structure. The house size allows for 732 square feet for accessory structures. The lot size allows for 1,136 square feet for accessory structures after factoring in the attached garage. If the existing detached structure was removed, it would bring the square footage of the accessory structures to a more acceptable value, though it would still be about 300 square feet over and require a variance. Chris that he was not interested in removing the existing detached accessory structure.

Decreasing the size of the new accessory building to 26' x 50' and construct the new accessory building south of the existing accessory building, so that the north edge of the new building would line up with the north edge of the house was also mentioned. Construction of the new building would match the house. If a compromise isn't made, then the Hoppe's could build a commercial accessory building, which may not be aesthetically pleasing. If he removes the existing detached accessory building, then the original proposed 30' x 50' building could be constructed.

09-13-2021-4 Motion by Rick, second by Dawn to recommend to the City Council to approval the zoning change from C-2 to R-2. Motion passed.

09-13-2021-5 Motion by Steve, second by Paul to allow a 364-foot variance based on lot size, with conditions that (1) the existing detached accessory building be removed (2) 30' x 50' new accessory building approved if (3) the north wall of the new accessory building aligns with the north wall of the attached garage and (4) the siding and shingle colors match the colors of the home. Steve, Paul, Rick and Brent voted in favor, Mike and Dawn voted against. Motion passed.

09-13-2021-6 Motion by Mike, second by Steve to adjourn meeting. Motion passed.

Minutes prepared by Shannon Jablonsky 9-14-2021