

Devils Lake Planning Commission
9-27-07

Present: Larry Liere, Kevin Davidson, Fred Bott, Marlene Bertsch, Louise Olson, Terry Thompson, Kyle Blanchfield, Karin Blanchfield, Gary Martinson, Scott Thompson, Tom Traynor, Ray Sletteland, Mike Grafsgaard, Jim Shanks, Tim Greene, Kim Paulsen, Lonnie Lacina, Bob Weed.

Larry opened the public hearing to review a request for a conditional use permit to allow temporary recreational vehicle parking in Southview Estates East, which is zoned as a mobile home park.

Lonnie Lacina, representing Southview, said they would like to set up the south side of the park for recreational vehicles (RVs). They have 43 empty lots in the court and this use of the space would provide a place for construction workers, hunters, visitors to park RVs. They are planning 22 RV spots with a campground setting. There are 3 mobile homes in that area right now and the owners are all OK with moving to another area of the park. He expects to put in 1 sewer system that all the RVs would tie into. The RVs that would be using the space would have to be self contained with bathroom facilities. They are working with the Health Department and have been inspected and certified each year. The intended use would be for parking RVs over an extended time and not just overnight.

Gary said the zoning for a mobile home park does not list RV use as a permitted use, but the purpose stated in the zoning is to allow temporary or recreational use. It may just be an oversight that RVs are not listed as a permitted use. A conditional use fits the area. There is no residential zoning in the area and all the properties to the south are zoned as commercial.

Larry closed the public hearing and opened the public hearing to review a request for a conditional use permit to allow short term rentals in two apartment buildings located in a residential-medium density zone.

Kyle and Karin Blanchfield and Mike Schell purchased two 4-plex apartments located at 712 and 724 7th St SE and are asking to utilize the apartments in more than the traditional way. They would like to use the building for both traditional and short term rentals (less than 30 days). The buildings are being renovated and the parking lots are being expanded. They would like to rent short term if there are vacancies, such as 3-7 day rentals. If the buildings were utilized like that, they would have to pay lodging tax, and be licensed and inspected by the State. The buildings are adjacent to commercial zoning.

Gary said the apartments are located in medium density and a conditional use would fit. It would probably be defined as a boarding house use. Should the planning commission decided if only so many can be rented short term or would there be no restrictions?

Ray said he would like to see this use tested but wondered what kind of precedence was being set.

Larry closed the public hearing and opened a public hearing to review a request to change zoning from agricultural to highway commercial and a conditional use permit to build a storage garage on a parcel of land located west of the grain terminal on 14th St NW.

Scott Thompson would like to purchase a 100' strip of land located in the NE1/4SE1/4 of Section 19 near the grain terminal. He already owns a parcel with a storage garage on it, but would like to purchase property north of the existing parcel to construct a storage facility for his own personal use.

Marlene asked if this use would fit agricultural zoning.

Gary said there is a problem with storage garages scattered all over agricultural zoning, so the new regulations require 35 acres of land for this use. The area adjacent to this parcel is highway commercial and this would be seen as an extension of that zoning.

Larry closed the public hearing and opened a public hearing to review a request to change the zoning from agricultural to highway commercial for a parcel of land owned by Wendell Uthke and located south of Kraft's Corral.

Kim Paulsen would like to purchase a parcel of land from Wendell Uthke to put up a storage building for his construction equipment. This property is located across from his house and is right in the corner of the 2 mile extraterritorial boundary. He would plan on having a pre-engineered 40X60 building. This location is near his home and would be convenient for his business.

Jim Shanks said he lives across from the parcel Kim Paulsen would like to purchase and said he doesn't object to Kim's building, but he does object to commercial zoning across from his house.

Larry asked if all the neighbors should be contacted for an opinion. He said sometimes what gets stored outside of the building gets to be a problem.

Marlene said this parcel is no way near a highway and it doesn't make sense to change the zoning to highway commercial.

Gary said the agricultural zoning restricts this use to a minimum of 35 acres. The whole area is residential, but the only way this use would fit would be to change the zoning to commercial and grant a conditional use permit.

Kim Paulsen said all the residential properties in that area have large storage buildings as well as some businesses being operated in that same area.

Gary said that if the request was for a building on his property it would not be a problem, but since it's across the road it changes things.

Marlene suggested the planning commission should review the whole zoning regulations regarding storage garages.

Larry closed the public hearing and opened the regular meeting. Kevin made a motion to approve the minutes of the last meeting. Motion 2nd by Terry. Carried.

Ray made a motion to recommend approval of a conditional use permit to allow temporary parking for RVs on the south side of Southview East, to be reviewed in two years to see if any problems arise. Motion 2nd by Tim. Carried.

Gary noted that the zoning ordinance will be changed to have RV use as a permitted use in a mobile home park.

Ray made a motion to recommend allowing short term rentals at 712 and 724 7th St SE apartments, to be reviewed in 1 year. Motion 2nd by Kevin.

Larry asked if at least one apartment would be occupied by the same tenant all year.

Kyle Blanchfield said it would be hard to say for sure because of the normal turnover in apartment buildings.

Marlene asked about reviewing the definition of lodging and boarding houses. She has a concern about approving a conditional use permit for a use that is not even listed.

Tim didn't think that this type of use should be tied as a conditional use permit to all zoning.

Motion carried.

Kevin made a motion to recommend approval of a request to change the zoning from agricultural to highway commercial and a conditional use permit to build a storage garage on a parcel located in the NE1/4SE1/4 of Section 19 by the grain terminal on 14th St NW. Motion 2nd by Tim. Carried.

Larry suggested we table the request from Kim Paulsen to change the zoning from agricultural to highway commercial for a parcel of land located south of Kraft's Corral until we hear from the neighbors.

Marlene requested that we put discussion of storage garages on the next agenda.

Marlene made a motion to deny the request to change to highway commercial and look at a different option for allowing the storage building. There was no 2nd to the motion.

Ray stated a nice storage building would be nice, but feel the commercial zoning is a problem.

Kim Paulsen decided to withdraw his application for a change in zoning and a conditional use permit to construct a storage garage.

Jim Strong was not present but had inquired about the zoning for Strong's Excavating. He wants to be assured that if he sells the business that it would be able to continue in the same way.

The question was raised about if the business is still in operation.

Marlene made a motion to table any discussion until Jim can be present. Motion 2nd by Kevin. Carried.

Tim made a motion to adjourn the meeting. Motion 2nd by Terry. Carried.

Respectfully submitted,

Helen Carlson
Recording Secretary