

Devils Lake Planning Commission
4-24-08

Present: Larry Liere, Tim Greene, Tom Traynor, Mike Grafsgaard, Dave Hovendick, Kim Paulsen, Jerry Ratzlaff, Fred Bott, Ray Sletteland, Louise Olsen, Greg Close.

Larry opened the public hearing to review a request to change the zoning from agricultural to highway commercial for a parcel of land located in the NE/14SE1/4 of Section 19 (northwest of the grain terminal).

Kim Paulsen stated he was looking at purchasing the property from Bob Weed so he could build a wood working shop. He said about 6 months ago Scott Thompson had the zoning changed for the parcel to the south of this one. There is commercial property adjacent to the parcel.

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

Ray made a motion to recommend approval of a zoning change from agricultural to highway commercial for a parcel of land located in the NE/14SE1/4 of Section 19 (northwest of the grain terminal). Motion 2nd by Tim. Carried.

The preliminary plat to Peterson Woods 5th Subdivision was tabled at the last meeting due to the lack of a quorum. The right of way width was decreased from 66' to 50', which adds 16' of buildable area to the lots on the east side.

It was noted that Kevin Fieldsend, Ramsey County Superintendent, said he did not have a problem with a 50' right of way.

Ray made a motion to approve the preliminary plat of Peterson Woods 5th Subdivision. Motion 2nd by Tim. Carried.

Gary reviewed the proposed changes to the zoning ordinance which would clean up the language in several areas. He reviewed:

- ^ limit on attached garage size
- ^ increase from 6 to 12 children for day care facility
- ^ increase in allowed size of signs
- ^ change size of manufactured home in rural suburban and add daycare as a permitted use
- ^ allow churches in downtown district
- ^ highway commercial - add daycare, offices, clinics as permitted uses
- ^ change to allow manufactured homes in agricultural
- ^ change so that the main structure is habitable before being allowed to build a garage
- ^ regulations on fences, hedges, walls that might restrict view in front yards

Gary stated he has had a request to construct a 150' high cell tower in highway commercial zoning. Currently a cell tower would not be allowed. Maybe we should be looking at adding this use as a conditional use permit. A public hearing will have to be held for any zoning

changes. Gary said there are areas in highway commercial that would be a good area for a cell tower. A conditional use would review guy wires, fences, etc.

Jerry Ratzlaff asked if the manufactured homes in agricultural zoning will be required to have perimeter foundations.

Gary said they would not - the proposed change would allow double wide mobile homes instead of singles.

Tim made a motion to approve the recommended changes to zoning regulations, with the following note: do not include the section on size of attached garages and add towers (i.e. cell phone towers) as a conditional use permit in highway commercial zoning. Motion 2nd by Ray. Carried.

Discussion was held regarding 2nd dwellings on one lot. We have a couple requests already to place a 2nd dwelling on the same lot as a primary dwelling. Gary has done some research on this and found a lot of communities are already addressing this use. Some 2nd dwellings are built over a garage and some are separate structures. The proposed zoning would restrict the size to 600 SF or 30% of the size of the main structure, sidewalls shall not exceed 10', unit not rented or leased for less than 30 days.

Larry asked if the height should be restricted to 10' if the main structure is a two story house. Is a maximum of 600 SF big enough? If they are done tastefully, it's a good idea.

Gary asked if we should we permit them? He would like input from the Planning Commission. He will continue researching what other communities are doing.

A map was presented showing a number of parcels in the city that end up being in two different zones. It's a matter of adjusting the zoning boundary lines to clean up the map. A public hearing would have to be held before the changes could be made.

Ray made a motion to clean up the lots that end up being in two zones. Motion 2nd by Tim. Carried.

Eric Boren was appointed as Planning Commission representative on the Renaissance Zone Authority. Since he is no longer on the Planning Commission, he needs to be replaced. It was suggested that Frank Mack may be willing to serve on the RZA.

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

Respectfully submitted,

Helen Carlson
Recording Secretary