

**WALKER PLANNING COMMISSION
BOARD OF ADJUSTMENT
REGULAR MEETING & PUBLIC HEARING**

May 21, 2012

6:00 p.m. 701 Elm Street Walker Fire Hall Meeting Room

1. **Call to Order** 6:03 p.m. by Char Moore, Acting Chair
Members Present: Jane Ekholm, Rich Hansen, Char Moore, Greg Smith (6:08 arrival)
Members Absent: Jeff Holly, Gary Wilkening
Staff: Edy Asell, Zoning Administrator (ZA), Terri Bjorklund (City Administrator)
Others: Bob Yochum – Cass County, Jim Dowson – Cass County, Gail Leverson – Cass County EDC, Les Spitzack – Cass County EDC

2. **Additions or deletions to the agenda:**
Move Item #7 to end of agenda.

3. **Announcements by Chair:** None

4. **Building/Zoning Report.** Chair asked for the Building & Zoning report to be presented, while waiting for a quorum of the Commission. The April report was recapped by Asell (ZA).

5. The question of procedure, lacking a quorum was raised by Asell. Terri Bjorklund, City Administrator advised that 3 members of the planning commission was a quorum. Based on this, the meeting continued.

6. Commissioner Smith arrived at 6:08.

7. **Motion to approve minutes from April 30th, 2012 Planning Commission/Board of Adjustment.**

M/S/A of minutes: Ekholm/Hansen (3-0) (Acting Chair Moore did not vote).

8. **Discussion on LU-2012-04 Initial Zoning of Ah-Gwah-Ching annexation.**

Asell (ZA) recapped the staff report advising the City assign a zoning classification of Public to the annexed area, supported by a consultation with the League of Minnesota Cities land use attorney, Jed Burkett. Terri Bjorklund, City Administrator commented that the Council had tabled the matter at its last meeting. Asell (ZA) recommended the City seek legal advice from the City Attorney in the matter. Cass County submitted an official recommendation from the Cass County Board, requesting that the land remain un-zoned. Commissioner Ekholm stated that her training had never viewed un-zoned land as an advisable condition. County Administrator Yochum explained that the County wished to avoid giving the impression that the land would be used for one purpose, and then being developed for something else at a later date. County Administrator Yochum wondered whether the City's building permit process would serve as a sufficient mechanism for zoning control. Asell (ZA) said that she was not aware of anything in the building code that would do that, but that she would research that. Gail Leverson of the

Cass County Economic Development Commission commented that there was a lot of interest in the land and that an increase in the tax base would be a benefit. Acting Chair Moore expressed appreciation to the Cass County representatives for sharing their information and views on the matter.

Motion by Ekholm, second by Hansen, for an opinion from the City Attorney on risks of leaving the land un-zoned. M/S/A 3-0. (Acting Chair Moore did not vote.)

9. **Discussion on Bulk Propane Tanks.**

Asell (ZA) opened the discussion by stating that she would advise the Planning Commission and City to consistently work on an ordinance for bulk storage, and not wait until such time as the County was ready to move forward. She suggested the City review appropriate zoning districts, lot sizes, and possible conditions for approval. Cass County Administrator Yochum presented a Request for Bids for the project as information for the Planning Commission, should they find any of the material useful in developing an ordinance. The information had been presented to the City Administrator and Zoning Administrator but was not included in the Planning Commission packets at this time. Chair Moore requested copies for the Planning Commission's next meeting, and for the City Council packets.

10. **Discussion of Dirt Moving- cubic yard limits:** Asell (ZA) explained to the Planning Commission that the current ordinance regarding dirt moving had been mis-applied in the past, in that a conditional use permit was not required outside of the shoreland area (1,000 feet from the ordinary high water level) In addition, Asell recommended amending the current ordinance to allow for a shoreland alteration permit, versus a conditional use permit for dirtmoving in the shoreland and shoreland/bluff impact zone, explaining that an ordinance and process, such as that followed by Cass County, complied with Minnesota Rules 6120, and did not require a public hearing or the sizeable fee of a conditional use permit. Cass County Commissioner Dowson commented that East Gull Lake and Lake Shore were going through a similar process and might be useful resources in the draft. Asell asked the Planning Commission for a recommendation to the Council that staff draft an ordinance amendment and applications to revise the process to be similar to Cass County's. Motion by Smith, second by Hansen M/S/A 4-0 (Acting Chair Moore did not vote.)

11. **Adjourn.** The meeting of the Planning Commission was adjourned at 6:31 p.m. M/S/A Hansen/Smith 4-0 (Acting Chair Moore did not vote.)

Approved by:

Submitted by:

Char Moore, Acting Chair

Terri Bjorklund, City Administrator