

**WALKER PLANNING COMMISSION  
BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES & PUBLIC HEARING MINUTES  
May 23, 2016  
6:00 p.m. 701 Elm Avenue Walker Fire Hall Meeting Room**

- 1. Call to Order** 6:00 p.m. by Terri Bjorklund

**Roll Call-**

Members Present: Char Moore, Anne McMurrin, Rich Hansen

Public: Terry Freeman, John & Diana Pratt, Barbara Heyer, Arnold Volker, Blake Pratt

Staff: Terri Bjorklund, Charolette Hines

Absent: Gary Wilkening

- 2. Additions or deletions to agenda.**

None

- 3. Announcements by Chair.**

None

- 4. M/S Moore/McMurrin to recommend approval of Minutes for April 25<sup>th</sup>, 2016.**

Motion passed (3-0)

- 5. Planning/Zoning –Report for April 2016.**

Hines reviewed planning/zoning report.

- 6. Public Hearing 6:05 p.m. VRBO Ordinance Adoption.**

Public hearing opened 6:05 p.m.

No public comments or questions were heard.

Closed public hearing at 6:06 p.m.

- 7. M/S McMurrin/Moore to recommend the approval of the VRBO Ordinance Adoption as written with the changes as follows:**

Page 2, section (D), 1) Agent. Only the fee owner, Power of Attorney or immediate family members (spouse, children or parents) of the property shall rent it:

Add

Page 3, item# 9) Maximum of two individuals per bedroom, and no more than two additional people per guest rental at any given time other than the renters.

Motion passed (3-0)

**8. Public Hearing 6:15 p.m. LU-2016-05 Conditional Use Permit (Land & Lease Development, LLC).**

Public hearing opened at 6:15 p.m.

Terry Freeman representing Land & Lease explained the survey to the Planning Commission and the public.

Barbara Heyer property owner expressed concern about drainage and flooding.

Terry Freeman explains that the survey shows that there is adequate drainage for the fill and flooding should not be an issue.

Closed public hearing at 6:27 p.m.

**9. Public Hearing 6:25 p.m. LU-2016-04 Interim Use Permit for VRBO (Schneider/Leasure)**

Public hearing opened 6:27 p.m.

No public comments or questions were heard.

Closed public hearing at 6:28 p.m.

**10. M/S McMurrin/Moore to recommend the approval of the LU-2016-05 Conditional Use Permit submitted from(Land and Lease Development, LLC) with the proposed findings and facts: and the Conditions as follows:**

**Proposed findings of facts:**

1. Standard soil erosion prevention measures will be used during filling (silt fence).
2. The site is not viewed from public waters and will have no impact.
3. This site has city water and sewer available on site.
4. The application does not have lake access for watercraft.
5. The subject property is located in an area zoned as General Commercial (GC); dirt moving of more than 50 cubic yards is allowable with a Conditional Use Permit.
6. The request for filling for a parking area and building site is supported by the Comprehensive Plan as continued use of the current available utility hookups.
7. The use with conditions is compatible with the existing neighborhood, the adjacent properties to the East and West are also zoned General Commercial (GC).
8. The proposed use, with conditions, is not considered to be injurious to public health, safety, decency, order, comfort, convenience, appearance, or prosperity.

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**Conditions:**

1. Maintain preventative steps for soil erosion before, during and after the project.
  2. If no development has taken place in 45 days once the filling of the property is completed, seeding of the property will need to be done to help control soil erosion.
- Motion passed (3-0)

**11. M/S Hansen/McMurrin to recommend the approval of the LU-2016-04 Interim Use Permit for a VRBO submitted from ( Schneider/Leasure) with the proposed findings and facts: and the Conditions as follows:**

**Proposed Findings and Facts:**

- 1) There is no changes to the structure therefore prevention of soil erosion or other possible pollution of public waters does not apply.
  - 2) There is no change to the visibility of structures and other facilities as viewed from public waters.
  - 3) The site is currently serviced with city water and sewer.
  - 4) The types, uses, and numbers of watercraft this use will attract are compatible in relation to the suitability of public waters to safely accommodate a limited amount of watercrafts.
  - 5) The VRBO is an appropriate Interim use with conditions in the Traditional Residential zoning district.
  - 6) The Comprehensive Plan of 2010 supports the continued use of properties currently served by municipal water and sewer as this property is currently.
  - 7) Rules will be provided and enforced to ensure guests do not interfere with the quiet enjoyment of neighboring properties; the VRBO with conditions is a compatible use in the existing neighborhood.
  - 8) The proposed use, with conditions, is not considered to be injurious to public health, safety, decency, order, comfort, convenience, appearance, or prosperity.
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**Conditions:**

- 1) The appropriate lodging license must be obtained from the Minnesota Department of Health in order for the IUP to be valid. An IUP granted by the City is contingent upon the applicant's receipt of an appropriate lodging license. Failure to obtain an appropriate lodging license within 30 days of IUP approval shall render the IUP void.
- 2) The initial term of a vacation rental IUP is two years. The property owner may thereafter apply to renew the IUP for a term of two years. There are no automatic renewals. Each initial and renewal application is subject to an inspection as provided in paragraph 3.
- 3) The property shall be inspected by the City Building Inspector (the "Initial Inspection") to ensure compliance with the applicable building codes and ordinances. In the event that modifications are needed to the property after the Initial Inspection, additional inspections may be required. The applicant is responsible for all inspection fees. The City Building Inspector shall provide a report to the City regarding the home's compliance within 30 days of the IUP approval or the IUP shall be rendered void.
- 4) Any modifications to the property rendering the property unsuitable for residential use under the Walker City Code or State Building Code may be grounds for revocation of the IUP.
- 5) Due to normal differences in operation, the IUP shall not be transferrable to a new owner, nor transferable to a different property. Any change in ownership of the property shall terminate the IUP and require a new application and process if the use is to continue.
- 6) Each permittee is required to carry general liability insurance on the subject property with minimum coverage of \$1,000,000.00 per occurrence. An umbrella policy may be used in conjunction with liability coverage to reach the \$1,000,000.00 minimum. A certificate of insurance shall be provided to the City upon request of the City.
- 7) One off-street parking space per every two bedrooms shall be provided on-site. Garage spaces may be counted towards required parking spaces on a one-to-one basis. Parking

spaces applied toward requirement must be concrete, asphalt, or other approved alternative. Parking on grass or dirt is not allowed.

- 8) Signage would need to comply with the City of Walker Ordinance 154.042.
- 9) Licensee shall keep a report detailing use of the home by recording, at minimum, the name, address, phone number and vehicle license number of all guests using the property. A copy of the report shall be provided to the City and law enforcement upon request.
- 10) 3 warnings of noncompliance with the City of Walker Ordinance Chapter 95: Nuisances will terminate the IUP.
- 11) If a problem arises, the owner or registration agent must respond to the issue within a two hour time frame.
- 12) Notification of house rules shall be posted both on the property and in rental documents stating the following: "This property is located in a residential zoning district. Please be considerate of neighbors. Quiet hours shall be observed between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday, and 11:59 p.m. and 7:00 a.m. Friday evening through Sunday morning."

Motion passed (3-0)

## **12. Fog Firearms and Cartridge Company requested a shooting rang in the Industrial Park district.**

John Pratt owner of Fog Firearms and Cartridge Company requested to have a private outside test shooting rang in the Industrial Park to test ammunition. He is planning to expand the business; one possible location will be at the Next Innovations building. There will be three phases to his expansion. In the first phase they will have 20-44 employees, second phase in 3 years he will have 100 employees and in 5 years he will have 200 employees. They will need to have a private outside test shooting range, without the private outside test shooting range he cannot complete the expansion. He needs to move the business where he can have a private outside test shooting range. Mr. Pratt states the Next Innovation site is large enough having 51 acres for a private outside test shooting range. The private outside test shooting range will be used for testing the ammunition and operating only during daytime hours. He does have other locations that he could expand the business but those locations are out of state and he wants to stay local.

## **13. M/S Hansen/McMurrin to recommend the staff to draft an ordinance for shooting ranges within the city limits to speak to both indoor and outdoor shooting ranges.**

Hansen: The ordinance would need to speak to private versus public shooting ranges, ammunition manufacturing and limit the location of the shooting ranges.

Motion passed (3-0)

## **14. Bjorklund adjourned meeting at 7:00 p.m.**