

**WALKER PLANNING COMMISSION  
BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
JUNE 30, 2014**

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

- 1. Call to Order** 6.00 p.m. by Chair Wilkening.

**Roll Call-**

Members Present: Jane Ekholm, Char Moore, Rich Hansen, Gary Wilkening, Greg Smith

Absent: N/A

Staff: Pamela Smith, Charolette Hines

Public: Terry Freeman, Jason Goehring, Greg (American National), Erin Haefele

- 2. Additions or deletions to agenda:**

None

- 3. Announcements by Chair:**

Wilkening-Terri is stepping back and Charolette Hines is going to take her place. Terri is not here tonight. She is out of town.

- 4. M/S/A Wilkening/ Ekholm to approve of minutes May 19<sup>th</sup>, 2014.**

Ekholm- Approved with changes to making a space between 14 and children in three spots and half way on the second page number 9 need to change where Ekholm says so have a discount up front with conditions with well and septic. Need to change with to for. And where Ekholm says attached to deed add conditions between attach and to. Then four spaces down need to change the verbiage to read we need to logical, so it's easily enforceable.

Ayes: Wilkening, Ekholm, Moore, Hansen, Smith Nays: 0

Motion passed (5-0)

- 5. Zoning Administrator - Staff Report for May 2014**

Hines-Reads the staff report for May 2014

Ekholm stated that citizens have been coming to her about the temporary sign fees. The citizens think that the fees are too much. I explained to them that it takes time and material so we need to recoup some of the expense.

Wilkening- I hear it from time to time myself. You hit the nail on the head and actually the costs went down from \$50.00 to \$25.00.

Hansen-State statues basically require cities to recoup the fixed costs associated with permits.

Ayes: Ekholm, Moore, Wilkening, Smith, Hansen Nays: None

Motion passed (5-0)

- 6. M/S/A Moore/Ekholm to recommend approval of LU-2014-03 Conditional Use Permit for a Digital Dynamic Sign for American National Bank to include the findings of fact in the staff report and adding the condition of a letter from MNDOT stating the approval or stating the sign is outside their jurisdiction.**

Chair Wilkening read agenda #6 LU-2014-03

Jason Goehring explains his background about banking and running American National Bank. He took over American National Bank in April 1, 2013. He explains the challenges that American National Bank faces in the location where they are at. They need to make their presence known. By having a sign that is visible that would help a lot. Ross Lewis signs out of Bemidji helped design the new sign. Because of the terrain, the bank is sitting down in a hole, the size of the sign needs to be bigger to be able to see the sign. Terry Freeman came out and did measurements; we

would be able to move it 6 feet closer to the road. We are faced with some challenges to get some height for the sign. So we would need to make the sign bigger to get the height. So that is why we are asking for the Variance. I also talked with Terry to use the dynamic display sign for the city. Ekholm-So a public service?

Goehring-Yes a public service, who doesn't want to see the time and temp when they come into town. There are a few things that I am asking for, first the dynamic display square footage of 32 sq. ft. instead of 29 sq. ft. the height is 30 feet instead of 20 feet and total square footage is 84 sq. ft. instead of 64 sq. ft. We are more of an office building. We have an attorney, insurance agency, and walker bay theater. So that is the reasoning for the inserts, so we can promote who is in the building. Shows photos of the challenges with the billboards close to the bank.

Smith-So people think that you are the Ranch House?

Goehring-Yes, Also shows a drawing of where the sign is going and the trees next to the lot and that they are starting to overtake the area. The trees are only going to get bigger and not smaller. So I am anticipating the future, as well. I don't know if I can ask to move the adopt-a-highway sign. The adopt-a-highway sign does distract from the banks sign. Terry did a great job and got a survey done and you should have a copy of that. It is going to be 5.5 feet from where the sign is at right now. That is just what I am trying to accomplish. I hope I addressed the main concerns.

Wilkening-So a question for you?

Goehring-Yes

Wilkening-You showed us pictures, three slots on the sign that would be replaceable weatherboard or message board.

Goehring-Yes, they will be replaceable. I cannot light those up. But I got the approval to have them wired, so if in the future we can.

Wilkening- So that was calculated as part of the total sign surface area?

Hines-I believe so.

Ekholm-Mr. Chairman Can I ask a question?

Wilkening-Certainly, this is what the discussion is, questions at will.

Ekholm-Terry will this make the sign higher than the building?

Goehring-No, not even close.

Ekholm-It will bring it up a little bit higher.

Goehring-Yes, the keystone is a very beautiful and nice at night, but whoa in the snow you couldn't see it at all. And our sign is just really falling apart. Sure I could put another sign that would fit the guidelines, but I just don't think that it will fit and promote walker area.

Ekholm-I think that some of those trees and shrubs should be cut back. Have you talked to MNDOT?

Goehring-No I have not. That is another underline issue that they could be cut back, and then try to get them to cut every few years. But if the sign is not going to be higher, the adopt-a-highway sign is in the way and deters from the bank sign.

Moore-Yes I agree

Goehring-People see the billboard for the Ranch House and think that bank is a restaurant.

Ekholm-I did notice you stated that you would take care of the erosion problems. Do you anticipate any problems?

Goehring-No, we do not anticipate any erosion problems.

Moore-So are you going to move it 6 feet out?

Goehring-No more than 6 feet out.

Wilkening-Ok we have to two issues at hand, first the CUP and a Variance. So far I have one question for Charolette and that was on the dynamic display sign ordinance allowable 29 sq. ft. is that because of the zone?

Hines-Yes

Goehring-In my notes with Terri the calculation came down to a percentage not a number, which is 25%.

Hansen-So we did not come up with a number, we used a percentage.

Wilkening-In regards to the CUP portion of this application, are you guys ready to deal with that at this point?

Ekholm-The only question I have is what type of restrictions MNDOT might have?

Freeman-There's nothing in the right-of-way, and the right-of-way is 75 feet from the center of the road.

Ekholm-That is the response we needed. Mr. Chairman are you ready to entertain a motion?

Wilkening-Well first thing we need to do is go thru the findings of facts prior to considerations. On page 6-3 proposed findings of facts read 1-8, read staff recommendations, read proposed conditions. There's no public comment. Do I hear a motion to recommend approval?

Moore-I move to recommend

Hansen-I second

Wilkening-Based on upon findings of facts as listed. Any other questions?

Ekholm-I was wondering if we should purpose writing something contingent on the restriction from MNDOT.

Wilkening-How about modifying it to say that American National Bank needs to provide the city with either written approval from MNDOT, or a letter stating it is outside their jurisdiction.

Hansen-I'm ok with that.

Wilkening-All in favor

Ayes: Moore, Ekholm, Hansen, Smith, Wilkening Nays: None

Motion passed (5-0)

**M/S/A Smtih/Hansen to recommend approval for the variance request from American National Bank for the increased height and size of signage with the findings of fact stated in the staff report.**

Wilkening-Okay, to take on the second part the variance. And variances are held to a higher standard. Read applicable statue/ordinance, 1-7, B, read the proposed findings-of-facts, 1-4 read proposed conditions. In this case a letter for approval or letter stating that it is not in their jurisdiction. Staff recommendations were read. It is not recommending the size but the height. So I would entertain a conversation among the board about the size.

Hansen-They could make the sign bigger and that would increase the dynamic display signage allowable because it goes with a percentage. But you wouldn't want to do that. But somebody driving by on the highway is not going to notice the difference from 32 sq. ft. to 29 sq. ft. That's not a big difference there.

Wilkening-I can buy into the dynamic display increase from 29 sq. ft. to 32 sq. ft. from a construction point of view.

Goehring-The Company does not make 29 sq. ft. for dynamic display.

Wilkening-They probably don't. The total increase from 64 sq. ft. to 84 sq. ft., I don't buy into that. I agree with the height but the not the total sign footage. By my calculations I come up with 191 sq. ft.

Hansen and Ekholm stated that they don't have a problem with the size.

Wilkening-What is the sq. ft. for a sign in this district Charolette?

Hines-64 sq. ft. per side

Wilkening-So we are looking at a sign with 191 sq. ft. as an opposed to 64 sq. ft.

Ekholm-I think that it is a going to be a great improvement; I'm in favor of it.

Smith-I am with you.

Wilkening-We have to be very careful.

Ekholm- So it's a judgment call.

Wilkening-The Issue is that we have 162 sq. ft. of a sign opposed to 64 sq. ft., so with the changeable copy sign is not calculated it makes it 116 sq. ft. for the dynamic display sign. So that would make it 25%.

Hansen: Let's address the unique issue that Jason has. Being in a hole, speed limit is 45 mph, other obstructions (trees, shrubs, billboards), so that would call for a bigger sign. Verses a location downtown where the speed is 30 mph. It just wouldn't make a lot of sense.

Wilkening-So the question before us is the variances from 64 sq. ft. to 162 sq. ft., so I'll let you guys decide.

Smith-I'll make a motion if we are ready for that.

Wilkening-Yes

Smith-Motion to grant approval for a variance for the 30 ft. height, based on the findings of facts 1-4 as presented.

Hansen-I second that.

Wilkening-all in favor for the motion (5-0) all opposed (0-0) Height variance has been recommended to be granted.

Wilkening- Sign area of 162 sq. ft. as opposed to 64 sq. ft.

Smith-Motion to approve the variance request to exceed the 64 sq. ft. statue allow for the 162 sq. ft. as been requested, based on facts of findings, as the four presented.

Hansen-I would like to discuss why we would be willing to something so drastic. 1-the speed limit on a state highway verse the in town speed limit, 2-low evaluation. 3-30% of the building is separate tenants and part of the signage would be for the separate tenants. Also American National Bank is in competition with two large billboards adjacent to the property. So I second the motion.

Wilkening-All in favor (5-0) this will be presented at the city council towards the evening.

Ayes: Smith, Hansen, Ekholm, Moore, Wilkening Nays: None

Motion passed (5-0)

**7. M/S/A Ekholm / Hansen to recommend approval for LU-2014-04 Request for a Metes and Bounds Lot Split – Pauly/Everson.**

Wilkening read the LU-2014-04 lot split

Freeman presented the survey for the lot split. He explained that Bob Pauly Sr. has lots 1-3 where a greenhouse was. Bob Pauly Jr. has house on second street, he has all of lot block on and it was split years ago into East half and West half. Robert Everson wants to take the land directly behind that, so he will be adding 75 ft. by depth. That would make that lot just over 15,000 sq. ft. for each lot, which is the minimum requirement of 15,000 sq. ft. for each lot.

Wilkening: Can you explain the difference between a metes and bounds versus a plat?

Freeman-In a plat you would need to combine all of the lots and then split them into two lots. So with a metes and bounds you can break it into parcel but one time in three years.

Wilkening read findings of facts 1-6.

Hansen.Straight forward.

Ekholm- makes motion to pass.

Hansen seconded motion

Wilkening-All in favor, Ok it will go to the meeting on Monday.

Ayes: Ekholm, Hansen, Smith, Wilkening, Moore Nays: None

Motion passed (5-0)

**8. Discussion on defining Rural Residential Zoning.**

Chair Wilkening suggests meeting at the Fire Hall at 6:00 p.m. on September 15<sup>th</sup>, 2014 for a possible special meeting called to discuss the Rural Residential Zoning

**9. Wilkening to adjourn the meeting at 7:35 p.m.**