

**WALKER PLANNING COMMISSION  
BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
September 25<sup>th</sup>, 2017  
6:00 p.m. 701 Elm Avenue Walker Fire Hall Meeting Room**

- 1. Call to Order** 6:03 p.m. by Wilkening

**Roll Call-**

Members Present: Annie McMurrin, Susan Ostlund, Gary Wilkening and Rich Hansen

Members Absent: Randy Carlson

Public: None

Staff: Terri Bjorklund and Pamela Smith

- 2. Additions or Deletions to the Agenda.**

None

- 3. Announcements by Chair.**

None

- 4. M/S Ostlund/Hansen to recommend approval of Minutes for August 28<sup>th</sup>, 2017 with the suggested changes to correct a name typo.**

**Motion passed (3-0)**

- 5. Planning/Zoning –Report for August 2017.**

Smith reviewed the Zoning reporting noting that there was a number of permit applications that came in that month. However BP-2017-35 withdrew their application and that will reflect on the next zoning report.

- 6. Public Hearing 6:05 pm. To hear public comment on a conditional use permit allowing for a freestanding sign at PID# 96-022-4418, 607 2<sup>nd</sup> Street S.**

Public Hearing opened at 6:05 pm

Wilkening reviewed the Condition Use Application with the board. No public attended this public hearing.

Public Hearing closed at 6:09 pm

- 7. M/S Ostlund/McMurrin to recommend approval on LU-2017-02 with the following findings of fact and conditions;**

*Findings of Fact:*

1. With implemented conditions, no soil erosion or possible pollution of public waters is likely as a result of the conditional use.
2. The visibility of structures and other facilities as viewed from public waters is not affected by the conditional use.
3. The site is serviced by adequate city water and sewer services. N/A to this request
4. The conditional use does not attract watercraft.
5. The Free Standing Sign is an allowable conditional use in this zoning district.

6. The use, with conditions imposed by the Planning Commission, is compatible with the surrounding neighborhood, in that there are other similar uses in the area.
7. The use, with conditions imposed by the Planning Commission, would not likely be injurious to the public health, safety, decency, order, comfort, convenience, appearance, or prosperity of the City.

*Conditions:*

1. Erosion control methods must be used during construction of sign.
2. The removal of vegetation will require replanting of the disturbed area and will be accomplished with best practices to control erosion.
3. Lighting of the sign shall not disturb the peace and tranquility of the neighborhood.
4. The proposed use must meet all other City ordinance requirements. Failure by the owner to act in reliance on a conditional use permit within six months or failure to complete the work under a conditional use permit within one year, unless extended by the Planning Commission, shall void the permit.

Hansen stated that whenever it is a Conditional Use Permit he questions if an Interim Permit would have been a better fit. He added that an Interim Use goes with the owner of the property as opposed to with the property. Smith stated that one reason that was not considered was because they are already operating under a conditional use permit as a group home or adult care home and because that use stays with the property it seemed appropriate to consider the conditional use for a freestanding sign.

Chair Wilkening read the findings of facts as stated above. The board agrees that they see no issues with this Conditional Use and should recommend approval.

**Motion passed (4-0)**

**8. M/S Hansen/McMurrin to recommend City Council move forward with a public hearing for re-zoning areas of City owned property as listed:**

<b><u>CURRENTLY ZONED INDUSTRIAL</u></b>	<b><u>PROPOSED ZONING RECLASSIFICATION</u></b>
96-347-0020	TO PUBLIC
96-347-0210	TO PUBLIC
96-347-0215	TO PUBLIC
96-347-0130	TO RURAL RESIDENTIAL (RR)
96-347-0135	TO RURAL RESIDENTIAL (RR)
96-347-0140	TO RURAL RESIDENTIAL (RR)
96-347-0145	TO RURAL RESIDENTIAL (RR)
96-347-0220	TO RURAL RESIDENTIAL (RR)
96-347-0225	TO RURAL RESIDENTIAL (RR)
96-347-0230	TO RURAL RESIDENTIAL (RR)
96-347-0235	TO RURAL RESIDENTIAL (RR)
96-347-0240	TO RURAL RESIDENTIAL (RR)
96-347-0245	TO RURAL RESIDENTIAL (RR)
96-347-0250	TO RURAL RESIDENTIAL (RR)
96-347-0255	TO RURAL RESIDENTIAL (RR)
96-347-0260	TO RURAL RESIDENTIAL (RR)
96-347-0265	TO RURAL RESIDENTIAL (RR)

The Board reviews the City owned property proposed to be re-zoned and agreed to request City Council to call for a public hearing for the zoning reclassification.

**Motion passed (4-0)**

**9. Discussions on appointing a real estate agent not affiliated with the City to market and sell the lots listed in the Industrial Park.**

Bjorklund questioned the board if they want to move forward with this or wait until after the rezoning has taken place. McMurrin questioned Ostlund what the real estate commission percentage is at right now. Ostlund noted that she has seen 7, 6 and lowest is 5. Wilkening adds that state law is that we negotiate. McMurrin stated that she would like to see if the agent can take the lowest possible percentage because of the number of lots. Ostlund added that she thinks that 5 is the lowest percentage you can get. The Board discusses options of how to sell the properties and agree that hiring an agent would be the best option for the City. Ostlund recommends hiring a relator that will be honest with them. Bjorklund reminds the Board that there should not be any conflict of interest with the City. Wilkening questioned if people bought them for investment or add a stipulation or a timeframe for constructing a building on the lot. Hansen notes that he is highly supportive of adding a time limitation for building on the lot. The Board agrees that 2 years is a reasonable amount of time for Rural Residential. Bjorklund speaks about accessory building stipulations on the lots and the Board states that the Rural Residential performance standards adopted also had rural residential performance standards that state 'No accessory building shall be permitted to be constructed on any lot prior to the construction of the principal building to which it is accessory.' Hansen stated that he believed they would be able to build a garage and make it livable as long as it meets the minimum housing standard requirements. The Board would like to see this agenda item again next month. Hansen stated that minutes should reflect the following points:

- The Planning Commission agrees that hiring a real estate agent to list the City owned lots is the best option for the City.
- Two years following the purchase; the said lot(s) must have a principal structure constructed on the lot.

**10. Wilkening adjourned the meeting at 6:35 p.m.**