

**WALKER PLANNING COMMISSION
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
OCTOBER 28, 2013
6:00 p.m. 701 Elm Street Walker Fire Hall Meeting Room**

1. **Call to Order** 6:00 p.m. by Chair Wilkening.

Roll Call

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

Members Absent: Rich Hansen

Staff: Pamela Smith and Terri Bjorklund

Others present: Jon Stewart, Lara Stewart, Dan Piprude

2. **Additions or deletions to agenda:**

None.

3. **Announcements by Chair:**

None.

4. **M/S/A Wilkening/Moore to approve of minutes for September 30, 2013 with the recommended changes.**

Motion passed (4-0)

5. **M/S/A Wilkening/Moore to recommend the approval of annexation request ANX-2013-01.**

Terri points out on the map what parcel is requesting the annexation and reads 1-5 on the proposal document.

1. There are two property owners in the area proposed for annexation, both of whom join in this request.
2. The land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available.
3. Said property is unincorporated, abuts on the city's North boundary, and is not included within any other municipality.
4. The area of land proposed for annexation, in acres, is 4.57 acres.
5. The reason for the requested annexation is all of the property is or is about to become urban or suburban in character.

The Board discusses whether or not the City would be obligated to provide sewer and water service to that location. Wilkening states that there are water lines near the area so in the future it would be possible to provide water service if it was so petitioned by the land owners however; at this time the land owners have their own well and septic for use. Ekholm states that this would increase his taxes and questions the reason behind the request. Dan states that he has no big plans for this parcel however; he feels this would be of benefit to him if this parcel was annexed into the City of Walker. There was some discussion regarding whether or not the Fire Department serviced that area. Greg stated that the Fire Department goes on calls well past that area. Wilkening noted that the Fire Department is now controlled by a Joint Powers agreement.

Wilkening recommends to the board that this move on to City Council where at that time a Public Hearing can be called for and the 90 day process for state review and any petitions can be heard during that time.

Motion passed (4-0)

6. M/S/A Ekholm/Moore to recommend the approval of SG-2013-08 application for Dynamic Display permit contingent upon John Valen reviewing.

Wilkening recaps what Jon and Lara Stewart are requesting for sign permits. Terri explains that there is a recalculation on the sign requests; the following changes are made:

Wall Signs: DQ Symbol - Height 5'6" to <u>5'5"</u> Width 8' 6"	Total Sq. Ft 33.1 to <u>46.75</u>
Grill & Chill -Height 2' 8" Width 11'1"	Total Sq. Ft 30.0 to <u>28.86</u>

East Façade: Height 17'9" Width 58'	Total Sq. Ft 1030 to <u>1029.5</u>
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Wall Signs: DQ Logo – Height 4'3" Width 6'6"	Total Sq. Ft 19.6 to <u>27.63</u>
Grill & Chill - Height 2'8" to <u>1'4"</u> Width 11'1" to <u>5'4"</u>	Total Sq. Ft 30.0 to <u>7.09</u>

Free-Standing Sign:

DQ Logo – Height 5'7" Width 8'51/2"	Total Sq. Ft 33.1 to <u>47.21</u> Existing 49' Sq. Ft
Grill & Chill - Height 2' 8" Width 11'1"	Total Sq. Ft 30.0 to <u>28.86</u> Existing 23' Sq. Ft

Terri states that at this time there are no zoning regulations or ordinances that regulate menu boards.

Jon and Lara approach the board with sketches of the requested signs and note the location of each.

The Board discusses that the requests for the East Façade and Free standing sign requests although larger than what is allowed should be grandfathered in. Some of the board members note that even though the measurements may exceed the regulations, the new signs would be more in compliance with our sign ordinance than what the existing signs already were.

Terri noted that the Planning Commission along with herself has the ability to approve the sign permits without Council Approval; she felt the scope of the plans merited bringing it to the Planning Commission Board for review. Ekholm and Teri discuss the approval of this based on John Valens review and approval of grandfathering the East Façade and the Free standing sign.

Motion passed (4-0)

7. Building/Zoning Report.

No questions and comments regarding the report.

8. M/S/A Moore/Smith to approve of Land Use Calendar application for 2014.

Terri states that on May 19th, 2014 is the only date that is one week earlier due to the 26th of May being Memorial Day.

Motion passed (4-0)

9. M/S/A Smith/Moore to recommend approval of the Interim Use Permit Ordinance draft language and the Land Use Classification Chart contingent upon John Valens review and approval.

The Board discusses the uses and terminology of the Ordinance to Amend the City of Walker and Subdivision Ordinance to permit Interim Use Permits. It is also noted that this is a draft with language used from several cities that currently allow Interim Use permits. The Board makes several changes including:

Section A) part 2) changing the word ~~permit~~ to *permanent*.

Section B) part 1) and 2) add a hyphen after the words Existing Uses- and New Uses-.

Section C) part 1) adding a hyphen after Existing Uses-

Section E) changing the wording from ~~on the happening of~~ to *upon*.

The Board reviews the Land Use Classification Chart and discusses the definition of Planned Unit Development. They also speak briefly about what fees would be charged for the Interim Use permits. Terri states that setting the fees at the same cost that Land Use fees are right now would make sense; at a cost of \$395.00. Ekholm makes note that as people renew their applications to charge a lesser fee if that applicant has had no violations with the previous Interim Permit. The following changes to the Draft Land Use Classification Chart are shown in bold and underlined.

LAND USE CLASSIFICATION CHART										
Key: X = Prohibited										
<u>I = Interim Use Permitted</u>										
C = Conditionally Permitted										
P = Permitted										

<i>Use</i>	<i>District</i>									
	<i>R</i>	<i>LDR</i>	<i>MFR</i>	<i>CBD</i>	<i>TC</i>	<i>GC</i>	<i>WC</i>	<i>I</i>	<i>P</i>	<i>PR</i>
Agricultural	X	P	C	X	X	X	X	X	C	C
Airport	X	X	X	X	X	X	X	C	C	C
Auto/RV Repair	X	X	X	<u>I</u>	X	P	X	C	X	X
Auto/RV Sales	X	X	X	<u>I</u>	<u>I</u>	<u>I</u>	X	C	X	X
Auto Salvage Yard	X	X	X	X	X	X	X	C	X	X
Bank	X	X	X	P	P	P	X	X	X	X
Bed and Breakfast	<u>I</u>	<u>I</u>	<u>I</u>	C	C	X	<u>I</u>	X	X	X
Car Wash	X	X	X	C	C	C	X	C	X	X

<i>Use</i>	<i>District</i>									
	<i>R</i>	<i>LDR</i>	<i>MFR</i>	<i>CBD</i>	<i>TC</i>	<i>GC</i>	<i>WC</i>	<i>I</i>	<i>P</i>	<i>PR</i>
Cemetery	C	C	C	X	X	C	C	C	C	C
Church	C	C	C	C	C	C	C	C	C	C
Club/Lodge	X	X	C	C	C	C	C	X	X	X
Controlled Access Lot	C	C	X	X	X	X	C	X	X	X
Contractor's Yard/Storage	X	X	X	C	C	C	X	C	X	X
Day Care Center, Commercial	<u>I</u>	<u>I</u>	C	C	C	C	X	X	X	X
Dental Office	X	X	X	P	P	P	C	C	X	X
Dirtmoving < 10 c.y. (Shore or Bluff Impact)	P	P	P	P	P	P	P	P	P	P
Dirtmoving > 10 c.y. (Shore or Bluff Impact)	C	C	C	C	C	C	C	C	C	C
Dirtmoving < 50 c.y. (Non-Shore or Bluff Impact)	P	P	P	P	P	P	P	P	P	P

Dirtmoving > 50 c.y. (Non-Shore or Bluff Impact)	C	C	C	C	C	C	C	C	C	C
Dwelling, Duplex	C	C	P	X	C	C	C	X	X	X
Dwelling, Guest Quarters	C	C	C	X	X	X	C	X	X	X
Dwelling, Multi-Family	X	C	C	C	C	C	C	X	X	X

<i>Use</i>	<i>District</i>									
	<i>R</i>	<i>LDR</i>	<i>MFR</i>	<i>CBD</i>	<i>TC</i>	<i>GC</i>	<i>WC</i>	<i>I</i>	<i>P</i>	<i>PR</i>
Dwelling, Single-Family	P	P	P	C	P	P	P	X	X	X
Extractive Use	X	X	X	X	X	<u>I</u>	X	<u>I</u>	X	X
Gas Service Station	X	X	X	C	C	P	X	C	X	X
Golf Course	C	C	C	X	X	C	C	X	C	C
Group Home/Nursing Facility	C	C	C	X	X	C	C	X	X	X
Landfill	X	X	X	X	X	X	X	C	X	X
Lumberyard	X	X	X	X	X	P	X	C	X	X
Manufactured Home	P	P	P	X	X	X	X	X	X	X
Marina	C	C	C	X	X	X	C	X	C	X
Medical Facility	X	X	X	C	C	C	C	X	C	X
Motel/Hotel	X	X	X	C	C	C	C	X	X	X
Motor Home Campground	X	X	X	C	X	C	X	X	X	X
Municipal/Government Buildings	X	X	X	P	C	C	C	C	P	P
Office, General	X	X	X	P	P	P	P	C	X	X
Outdoor Storage	X	X	X	<u>I</u>	C	<u>I</u>	<u>I</u>	C	X	X
Public Park	P	P	P	X	P	P	P	C	P	P
Pharmacy/Retail	X	X	X	P	P	P	P	X	X	X
Planned Unit Development, Residential	C	C	C	X	X	X	X	X	X	X

Use	District									
	R	LDR	MFR	CBD	TC	GC	WC	I	P	PR
Planned Unit Development, Commercial	X	X	X	C	C	C	C	C	X	X
Recreational Vehicle Campground	X	X	X	X	X	C	X	X	X	X
Recycling Center	X	X	X	<u>X</u>	C	C	X	C	X	X
Resort	X	X	X	X	C	C	C	X	X	X
Restaurant	X	X	X	P	P	P	P	C	X	X
Retail Store/Sales	X	X	X	P	P	P	P	C	X	X
School	C	C	C	X	C	C	X	X	P	P
Semi-public Use	C	C	C	C	C	C	C	C	C	C
Temporary Outdoor Sales	X	X	X	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	X	X
Indoor Theater	X	X	X	C	X	C	X	X	X	X
Vegetation Removal, Clear Cutting	C	C	C	P	X	X	X	C	X	X
Vegetation Removal, Open Cutting	P	P	P	P	P	C	C	C	C	C
Vegetation Removal, Selective Removal	P	P	P	P	P	P	P	C	P	P
Vet Clinic	X	X	X	<u>X</u>	P	P	X	C	X	X
Warehousing	X	X	X	<u>I</u>	X	C	X	C	X	X
Water-Oriented Accessory Structure	C	C	C	X	X	X	X	X	C	C

LAND USE CLASSIFICATION CHART										
Key: X = Prohibited <u>I</u> = <i>Interim Use Permitted</i> C = Conditionally Permitted P = Permitted										
Use	District									
	R	LDR	MFR	CBD	TC	GC	WC	I	P	PR
<u>Home Occupation</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Portable or Metal Storage Pods (parked <14 days)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>
<u>Pawn Shops</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>I</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Bulk Liquid Storage (5,000 + gallons)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>I</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>
<u>Adult Uses</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Vacation/Private Home Rental</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Model Home/ Office Structure</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>X</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>X</u>	<u>X</u>

The Land Uses added were discussed, questioning the validity of regulating Christmas tree sales with an Interim Use permit and it was decided that that should be removed entirely from the Land Use Classification Chart. Bulk Liquid Storage was decided to be further defined as 5,000 gallons or more and Storage Pods parked longer than 14 days before needing a permit.

10. M/S/A Wilkening/Ekholm to adjourn meeting at 8:00 p.m.