

**MINUTES
PLANNING COMMISSION**

FEBRUARY 1, 2016

Chairman Ron Mehr called the meeting to order at 6:30 p.m. Members present were Darlene Loven, Neil Herzberg, and Bob McDaniel. Also present were Renee Eckerly, City Administrator; JoLyn Lindquist, Social Media Specialist; Bill Spooner, City Attorney; and Brad Mehlhop, Building Official.

Motion was made by McDaniel to approve the minutes of the July 20, 2015 Planning Commission meeting. Seconded by Herzberg and unanimously carried.

ELECTION OF OFFICERS

Motion was made by Loven to appoint Mehr as Chair, McDaniel as Vice Chair, and Eckerly as Secretary. Seconded by McDaniel and unanimously carried.

Motion was made by Loven to set the following terms:

VACANCY – term expires December 31, 2017

Darlene Loven – term expires December 31, 2018

Ron Mehr – term expires December 31, 2016

Bob McDaniel – term expires December 31, 2018

Neil Herzberg (Council Member) – term expires December 31, 2016

Seconded by Herzberg and unanimously carried.

Loven announced that she has an interest in resigning from the Commission as her term was up on December 31, 2015; however, will stay on until a replacement is found.

MEETING SCHEUDLE

Motion was made by Loven to set the Planning Commission meetings for the first Monday of each month (Oct. – April) and the first and third Monday of each month (May – Sept.) at 6:00 p.m. Seconded by McDaniel and unanimously carried.

MEMBER VACANCY

Members had no recommendations at this time.

PLACEMENT PERMITS

Mehlhop distributed the section from the Building Code that states that a single-story detached accessory structure is exempt from a building permit, provided that the floor area does not exceed 200 square feet. This change occurred in 2006. Spooner supported the change from 120 square feet to 200 square feet. There is also another section in the ordinance that will need to be addressed and Spooner will revise that section also.

Motion was made by Herzberg to amend Chapter 4 Placement Permits from 120 square feet to 200 square feet to be consistent with the Building Code and recommend such to the City Council. Seconded by Loven and unanimously carried.

VARIANCES

Spooner discussed the 3-part test that is used as a standard for granting/denying variance requests. They are as follows:

1. Reasonable Manner – is the use reasonable, does the use fit the zoning
2. Unique to Property – examples include: pie shaped lot and hard to meet setbacks, steep hill, old mature trees, purchased a lot with an already non-conforming structure
3. Will not alter the essential character, usually taken care of by the zoning

The Cenex situation was not a unique situation to the property. The owner had a desire to make a change. Does the property make it difficult for the owner to build on was questioned. This was a valid question. If the Commission gets a lot of variances on the same issue, the Commission should recommend a change to the ordinance rather than approving the variances.

RENTAL UNIT REGISTRATIONS & INSPECTIONS

Eckerly reported the reason for this would be to make sure the property is safe for the people who are renting it. The fee would be minimal and the Building Inspector would do the inspections. The general consensus is to make the rental safe. It was suggested to put an inspection list together that relates to the City of Paynesville and bring it back with the process to do such.

STORAGE CONTAINERS/PODS

Mehlhop reported that pods don't fit in the Building Code. Mehr stated that in the construction world, these are necessary to store materials and displaced items during a construction project and these are usually required as part of the contract.

The issue comes when the pod is not temporary, but permanent. It was questioned where should these be allowed for storage use and if a unit like this be included in lot coverage limitations. It was questioned what zone these pods would be allowed in or if at all.

It was suggested that on a Building Permit it could be noted if a pod is going to be used and that it would have to be removed within 30 days after construction is completed.

This type of structure does take money away from those who are in the business of renting or building storage buildings.

In some areas of the U.S. these pods are being used for housing.

Semi-trailers were discussed. If the trailer is on wheels and is licensed with a motor vehicle plate it is not covered by the Building Code.

The Commission further discussed whether or not to allow them in residential districts and if not, only allow them during a construction project. It was discussed that if the pods were permitted on a temporary basis the City would need to make sure they are a safe distance from an intersection and road right of ways.

It was consented that the Commission would like more examples on this.

It was suggested to add to the City's Building Permit a box to check and area for size and location on the property for these to be used on a temporary basis during construction. The most common size pods are 8x20 or 8x40.

This will be put back on the next agenda for further discussion.

Mehr stated that the official name for these "boxes/containers/pods" are "Connex Box".

NEXT MEETING

The next meeting will be Monday, March 7, 2016 at 6:00 p.m. at City Hall.

INFORMATIONAL

Members reviewed the CCLD Newsletters. The Building Inspection report was reviewed. The Commission questioned the 2013 open permit and how long a permit can be open.

There being no further business the meeting was adjourned at 7:50 p.m.