

Devils Lake Planning Commission
2-11-15

Members present: Mike Grafsgaard, Tom Traynor, Gary Martinson, Greg Semenko, Tim Greene, Ray Sletteland, Rodger Haugen, Kevin Davidson.

Other present: Kay Helland, Jim Jacobson, David Slama, Mary Hoffner, Rachel Lindstrom, Dan Lagien.

Tim opened the public hearing to review a request to change zoning from residential single family to residential low density for Lots 1-4 and 6, Block 2, Replat of Smith's Subdivision.

It was noted 19 letters were sent to neighbors and 5 protests were returned to the City.

David Slama stated he purchased 3 lots from the City to construct homes. His banker tells him that duplexes as opposed to single family homes are a better use of utilities and building materials. The units he plans to build will be 2000 SF, look like residential homes with porches, have big yards and will be really nice looking. He stated there is low density zoning to the east of his lots and also around his lots. The units will be acceptable to other housing in the area. There are several different options for the duplexes: 1 or 2 story, cul de sac between 2 of them, can be east/west facing or north/south facing.

Mary Hoffner said the zoning is single family and wants it to stay single family. She does not want duplexes in her neighborhood.

Dan Lagien also said he wants the zoning to remain single family.

Jim Jacobson said he just moved in a new house on 16th St SE and he wants to keep single family development and not have rental units in the area.

David Slama said there is low density zoning to the east and Tom Lamotte has rentals in that area. He may build duplexes that would be for sale, not rent. A lot of people can't afford to purchase a home. There is already multi-family on the north side of the street and there are rental units already in the area.

Kay Helland stated that she does not want to see low density zoning, and wants it to stay single family.

David Slama stated that he could build single family homes and rent those. It would be better to have duplexes than four plexes.

Mike mentioned that when the 3 lots were originally purchased from the City, the city commission was told there would be single family homes built on the lots.

David Slama said he will build 3 houses for sure, but he was checking the options because it would be financially better for him to build duplexes.

Tim closed the public hearing and opened the public hearing to review adding language to the City's zoning regulation to allow oil refineries and petrochemical plants as a conditional use in heavy industrial zoning.

Gary said this discussion was going to take place in conjunction with the zoning and annexation proposed by Eagle's Ledge for construction of an oil refinery. He has checked with other cities to see how they handle this situation.

Tom reminded the planning commission that even though it's allowed as a conditional use permit, it has to be approved by the planning commission first.

Tim closed the hearing and opened the regular meeting. Rodger made a motion to approve the minutes of the last meeting. Motion 2nd by Kevin. Carried.

Ray said he can see both sides of the discussion on the zoning change. The City wants development and a duplex isn't that bad in a single family residential area, but at the same time we need to respect the requests of the surrounding people to keep the zoning single family.

Greg felt this would be a case of spot zoning and is not something the planning commission would want to do. There is enough low density zoning in the area and this should be kept as single family, especially since Lot 5 is protesting the change.

Rodger also felt that this would be spot zoning and not something we should do.

Ray made a motion to recommend denial of the request to change the zoning from residential single family to residential low density for Lots 1-4 and 6, Block 2, Replat of Smith's Subdivision. Motion 2nd by Kevin. Carried.

It was noted that Item C of the proposed change in zoning language for heavy industrial zoning should be moved up below Item B so that it falls under the requirement to be approved by the planning commission.

Kevin made a motion to recommend approval to add "Oil refineries and petrochemical plants" to the conditional uses in heavy industrial zoning. Motion 2nd by Rodger. Carried.

Greg made a motion to adjourn the meeting. Motion 2nd by Ray. Carried.

Respectfully submitted,

Helen Carlson
Recording Secretary