

Devils Lake Planning Commission
1-28-16

Members present: Vonda Markestad, Terry Thompson, Rodger Haugen, Greg Semenko, Tom Traynor, Gary Martinson, Ray Sletteland, Dick Johnson, Larry Liere (via phone), Mike Grafsgaard.

Others present: Steven Zimmer, Nels Nelson.

Greg opened the public hearing to review a request for a conditional use permit to build 2 storage garages at 1200 Hwy 20 S. Owner Mark Tabert was not able to be present for the meeting. He is requesting to add another 2 storage buildings as part of the overall plan for the site where he already has constructed 6 buildings. The 2 additional buildings would be the same type of construction as the existing. A conditional use permit was approved for this a couple years ago, but since construction did not take place within 1 year the permit expired.

Gary said he didn't see any issues with the request. A letter was sent to adjacent property owners and no responses were received.

Greg closed the hearing and re-opened the public hearing to review changes proposed for highway commercial zoning that would allow outdoor storage yards as a conditional use permit.

Gary stated Steven was working on a definition of an outdoor storage yard and there were questions raised about whether the language should state that vehicles need to be licensed. We want to make sure that this use doesn't turn into a salvage yard. There is a temporary use permit process in place now to address storage containers. We would not want to see a bunch of temporary storage containers not governed by building permits. Storage containers would be non-taxable, no building code, and competing with proper storage garages.

Greg said now regulations allow putting Conex boxes on property as a temporary permit with no limit to the number. If they were allowed in a conditional use permit you could limit the number.

Nels Nelson said he is also looking at a business of renting Conex boxes to other people to place on their sites.

Steven asked if we want to allow displays of Conex boxes.

Vonda suggested having a sign with a display for renting Conex boxes and not have them actually displayed on the highway.

Larry said we don't want Conex boxes all over. Businesses rent out the smaller containers rather than the larger Conex boxes.

Steven said the language should state "licensed" vehicles to allow for easier enforcement.

Gary said the City would be dealing with the owner rather than the tenant if issues arise.

Steven asked about putting in storage containers as a conditional use permit now, or amend the ordinance later to allow them.

Gary said a conditional use application would require a plan lay out, including the number of Conex boxes, and any change to the plan would have to come back to the planning commission for approval.

Vonda said it makes sense to add the storage containers to the proposed changes now.

Greg closed the hearing and opened the regular meeting. Ray made a motion to approve the minutes of the last meeting. Motion 2nd by Terry. Carried.

Terry made a motion to recommend approval of a conditional use permit to allow construction of 2 storage garages at 1200 Hwy 20 S. Motion 2nd by Rodger. Carried.

Ray asked about including a definition of the type of fence required to an outdoor storage yard.

Gary said that would be determined when an application for a conditional use permit was submitted to the planning commission.

Vonda made a motion to recommend approval of the definition of an outdoor storage yard as “the keeping of vehicles with current license and registration, recreational vehicles, boats, ATVs, snowmobiles, trailers, equipment and storage containers for an extended period of time without usage, outside of a completely enclosed building. Storage containers shall comply with Chapter 17.78 of the Zoning regulations. Outdoor storage does not pertain to the lawful display of retail goods and equipment for sale on commercially zoned properties. Outdoor storage of junk and/or rubbish shall not be allowed and shall be governed by Chapter 8 of the municipal code.” Motion 2nd by Ray. Carried.

Ray asked about being able to restore cars if you have a car stored in an outdoor storage yard.

Dick said the way the language is proposed, restoring a car would be a non-conforming use.

Larry said he’s seen lots that require the vehicles to be on inflated tires.

Ray asked about allowing a vehicle as long as it is licensed or trailered.

Dick thought it would be better to keep the requirement to licensed vehicles to keep it simple and easy to enforce.

Tom agreed that requiring the vehicles to be licensed would help with nuisance issues.

Larry made a motion to recommend approval of adding an outdoor storage yard as a conditional use in highway commercial zoning. Motion 2nd by Rodger. Carried.

Rodger made a motion to adjourn the meeting. Moton 2nd by Vonda. Carried.

Respectfully submitted,

Helen Carlson
Recording Secretary