

Devils Lake Planning Commission
7-27-17

Members present: Dick Johnson, Tom Traynor, Ray Sletteland, Vonda Markestad, Larry Liere, Terry Thompson, Gary Martinson, Wyatt Hanson, Mike Grafsgaard.

Others present: Jim Moe, Tee Kurtz, TJ Kurtz, Tom Bertsch, Paul Gutschmidt, Lowell Hanson.

Larry opened the public hearing to review a request for a change in zoning from Limited Industrial to Highway Commercial for a tract in Govt Lot 1, Section 3. This parcel is located on 5th Ave SE at the intersection of 2nd St. The original request also included a request for a conditional use permit for storage garages. The owners decided construction on the storage garages likely wouldn't take place until after a conditional use permit would have expired and withdrew their request at this time.

TJ Kurtz said their parcel is about 3 acres and their long range plan is to put up storage garages as an investment in the property. Changing the zoning from industrial to highway commercial would make for less restrictive setbacks for storage garages. The storage garages could be either individual buildings or a building with multiple units.

Jim Moe stated that they will visit with a surveyor to determine the best lay out for garages and are still planning the type of units to go with.

It was noted that 9 letters were sent to adjacent property owners and only 2 responses were received and neither of them objected to the zoning change. It was also noted that Helen spoke with Drs Herman and Mack and at this time they did not want their property to be a part of a zoning change until they know for sure what their future plans are for the vacant property.

Mike said there may be some exchange of properties that would make access to the parcel better.

Lowell Hanson, who owns a parcel of land across the RR tracks to the north was present to express concern about his zoning being changed. He was assured that his zoning will not be changed or affected by this zoning change request.

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

Dick made a motion to recommend approval of a change in zoning from Light Industrial to Highway Commercial for a parcel of land in Govt Lot 1, Section 3, located on the east side of 5th Ave SE at the intersection of 2nd St. Motion 2nd by Vonda. Carried.

Ray made a motion to recommend the appointment of Vonda Markestad as a planning commission representative on the Renaissance Zone Authority. Motion 2nd by Mike. Carried.

Tom Bertsch was present to address the commission about a property he owns on 3rd St NW. He has lived there for many years and has built a garage and made a lot of improvements to the house. He has recently bought a different house and put up this house for sale. The home is located in highway commercial zoning. He said people can't use traditional residential home loans to purchase the

house because of the commercial zoning. He is asking the planning commission to look at different zoning that would change that. Until something is changed, he can't sell his house.

Gary said that 10-15 years ago, banks started changing their process for mortgage loans. Houses that are in a commercial zone are considered non-conforming and people are having a hard time getting loans for them. Three years ago more changes were made making it even harder to obtain loans. It's pretty hard to start spot zoning and having more than 1 zone in a block. He thought we should get Steven Zimmer to review what other cities do in these circumstances.

Vonda stated that a couple years ago lender requirements changed and bank underwriters are checking the zoning and non-conforming uses more aggressively than in the past.

Mike suggested having Steven look into what other cities do and meet sooner than the next regular meeting date.

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

Respectfully submitted,

Helen Carlson
Recording Secretary