

Devils Lake Planning Commission
11-2-17

Members present: Larry Liere, Kevin Davidson, Mike Grafsgaard, Ray Sletteland, Vonda Markestad, Terry Thompson, Rodger Haugen, Tom Traynor, Gary Martinson, Wyatt Hanson.

Others present: Mike Yoder, Steven Zimmer, Joe Knowski.

Larry opened a public hearing to review a request for a conditional use permit to place a 12,600 gallon underground fuel tank at 1509 Schwan Ave NW. It was noted 8 letters were sent to adjacent property owners and 3 were returned with no issues.

Mike Yoder said he wants to put a 12,600 gallon fuel tank on his property at 1509 Schwan Ave NW so he can re-fuel his equipment and trucks. He will be buying the fuel locally and adding the tank to his site would save a lot of time and hassle for his drivers.

Fire Chief Moe submitted a memo stating he had reviewed the specifications for the tank and that he had no issues as long as all the required setbacks are observed.

Larry closed the public hearing and opened the public hearing to review changes to zoning language.

Discussion was held regarding allowing animal shelters as a conditional use in downtown commercial district.

Steven said there may be health regulations from the Health Department that come into play for a animal shelter. Discussion had been held about having an animal shelter go through the same permitting process as a kennel, but upon review, a kennel permit has never been issued.

Gary asked if the Police Department has changes they would like to see to the proposed language for an animal shelter.

Steven said we need to work with PD to make sure the language we use is OK with them. A conditional use for an animal shelter would be allowed only in highway and central area commercial districts and industrial districts.

Joe Knowski asked about the maximum number of animals that would be allowed and how often inspections would take place. He wondered if there is a health department code that would address that.

Larry felt we needed to table the language until we have more time to review with the PD to get their input.

Steven said he would check to see if there are any regulations out there that would apply to how many cats would be allowed per square foot of a building.

Vonda thought the number of cats allowed per square foot is important and it's also important to know the number of volunteers that would be involved in the shelter. Animal waste must be addressed.

Mike asked if, from a planning perspective, do we want to allow animal shelters, allow them as a conditional use permit in central area commercial, and permitted use in industrial districts. He didn't think it was the planning commission's job to make changes to Chapter 6 of the Municipal Code.

Larry opened the public hearing to review a request for a conditional use permit to allow an animal shelter.

LuAnn Hinderscheit submitted a request for a conditional use permit for an animal shelter in central area commercial zoning contingent on approval of a change in the zoning ordinance to allow that. It was noted that 21 letters were sent to adjacent property owners and 2 were returned with no issues, and 1 property owner submitted a written protest for having an animal shelter in residential area.

Since the new zoning language is not yet final, the conditional use permit will be tabled.

Larry opened the regular meeting. Kevin made a motion to approve the minutes of the last meeting. Motion 2nd by Vonda. Carried.

Kevin made a motion to recommend the city commission approve a request for a conditional use permit to place a 12,600 gallon above ground fuel tank at 1509 Schwan Ave NW. Motion 2nd by Terry. Carried.

Rodger made a motion to table action on changes to the zoning ordinance that would allow an animal shelter as a conditional use permit in central area commercial zoning. Motion 2nd by Ray. Carried.

Wyatt made a motion to table a request for a conditional use permit to allow an animal shelter at 211 6th St NE. Motion 2nd by Vonda. Carried.

The planning commission will hold a meeting November 30 to address a potential request for a conditional use permit for metal fabrication at 122 College Dr N and to discuss/approve final language for allowing an animal shelter as a conditional use permit in central area commercial.

Rodger made a motion to adjourn the meeting. Motion 2nd by Kevin. Carried.

Respectfully submitted,

Helen Carlson
Recording Secretary