

Devils Lake Planning Commission
2-20-20

Members present: Ray Sletteland, Vonda Markestad, Dick Johnson, Wyatt Hanson, Terry Thompson, Rodger Haugen, Mike Grafsgaard, Tom Traynor.

Others present: Steven Zimmer, Glenn Hahn.

Ray opened the public hearing to review a request to change zoning from medium density residential to highway commercial for Lots 13 & 14, Block 79, OT (NE corner of intersection of 8th St SE and 6th Ave SE). The lots are currently vacant.

Glenn Hahn submitted a request to change the zoning because he said there are a lot of people interested in the lots but not as a residential use. He felt this location was not a good place for a single family home that would end up facing a commercial business and having another commercial business on the side of the home. He stated Bjornson Oil Company had expressed interest in the lots to construct a storage building for their business, and Jordan Hahn was interested in the lots to build storage garages.

It was noted 17 letters were sent to adjacent property owners and one property owner objected to the change in zoning.

Steven Zimmer stated there are actually quite a few issues with changing the zoning to highway commercial: upzoning residential to commercial; loss of borders between zones; spot zoning; zoning is generally intended to cover an entire block; commercial zoning says storage garages are a conditional use permit and would have to be 200 feet from residential zoning; with zoning setback requirements there would be only about 10' of clear property since the lot is 50'; a variance would be required for setbacks. He stated possibly the biggest issue with the zoning request would be two lots of a whole residential block being zoned as highway commercial zoning.

Glenn Hahn stated he would not be building anything on the lots himself, but the request was submitted on speculation of selling the lots if the zoning were changed to commercial. He said there are other storage garages located in similar zoning situations.

The public hearing was closed and the regular meeting was opened. Rodger made a motion to approve the minutes of the last meeting. Motion 2nd by Wyatt. Carried.

Rodger asked if Steven Zimmer is recommending denial of the zoning change.

Steven Zimmer said at this time the applicant is asking for re-zoning only and not for use of the property. If the zoning was changed the applicant would not have to come back to the planning commission for a permitted use.

Rodger made a motion to recommend denial of a change in zoning from medium density residential to highway commercial for Lots 13 & 14, Block 79, OT and adopt the findings of fact from Steven Zimmer. Motion 2nd by Terry.

Mike noted he was abstaining from voting since he owns property across the alley from the parcels requested to be zoned as highway commercial.

Motion carried.

Vonda said she would call Peter Jerome Jr to see if he would be willing to serve as a member of the planning commission.

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

Respectfully submitted,

Helen Carlson
Recording Secretary