

FOSSTON PLANNING COMMISSION
AUGUST 4, 2014

The Fosston City Planning Commission met in Council Chambers at City Hall on Monday, August 4, 2014 at 6:30 p.m. pursuant to published notice.

Members of the Planning Commission attending were: Offerdahl, Hoialmen, Carlson and Veum.
Member absent: Dufault

Members of the public present were Ron Juve, Mr. & Mrs. Richard Miller.

The purpose of the meeting was to conduct a public hearing on an application for adjustments in and exceptions to the provisions of the zoning ordinance as follows:

1. A rear yard minimum setback of thirty (30) feet.

Application as follows:

Larry Roed, 312 Grandstand Court, has requested a variance to construct a new building at 208 Hilligoss Blvd West. The proposed building would be set five (5) feet from rear lot line of Lot 17 and Lot 18 and fifteen (15) feet from the east line of Lot 17 and fifteen (15) feet from the west line of Lot 18. The proposed plan does not comply with provisions of Subdivision 7, Section E, Yard & Structure Requirements for Commercial-Industrial (C-I) District of the Fosston Zoning Ordinance.

The Planning Commission reviewed the requirements for granting a variance when making a recommendation to the Board of Adjustment upon a variance request. According to the Zoning Ordinance, the Planning Commission shall evaluate the effect of the proposed variance upon the following:

1. Has the applicant demonstrated a hardship? Hardship means that the property cannot be put to a reasonable use under conditions allowed by the Zoning Ordinance. Economic considerations alone do not constitute a hardship.
2. Are there exceptional circumstances unique to this property which were not created by the land owner?
3. Can the variance be granted without upsetting the purpose and intent of the Zoning Ordinance?
4. Can the variance be granted without altering the essential character of the surrounding area?

Roed revised the plan for his proposed building. The setbacks on the side yards will comply with the zoning ordinance. He is still requesting a 5' setback in the rear yard instead of the 30' setback required by the ordinance. The proposed setback will make access off County Rd #1 easier for trucks. It will also make it more aesthetically pleasing for the adjoining neighbors.

Bingham asked about the restrictive covenants on Lots 16 & 19. Roed responded that there are covenants on those two lots but he believed he could get the development owners to waive the covenants on those lots.

Bingham stated that he is not opposed to commercial growth in the community, but felt that Roed's project would be more suited to the new industrial park. He asked if it would be possible for the City to trade lots in the industrial park for Roed's lots? The Mayor responded that it may be a possibility.

David Olson stated that he is also not opposed to growth but he believed that the project would be more suited to the industrial park. Olson was also concerned if Roed's business outgrew the existing lots and he would have no place to expand.

Bingham stated that he may be interested in purchasing Lots 18 & 19 if Roed was interested in moving his project to the industrial park.

The board discussed the lots available in the industrial park for Roed's project. Lucken reported that there two lots in the industrial park that would work for Roed's proposed building. The board discussed the possibility of offering some incentives for Roed to locate his building in the industrial park. The City could purchase Lots 16 & 17 from Roed to make his move more feasible.

After further discussion with Roed and Bingham, the board decided to recess the public hearing until Monday, July 21st at 6:00 p.m. to allow time for Roed and the City to consider options for the location of Roed's new building in the industrial park.

Hoialmen made motion, seconded by Dufault to recess the public hearing until Monday, July 21st at 6:00 p.m. at City Hall. Motion carried by unanimous vote.

FOSSTON PLANNING COMMISSION
RECONVENED JULY 14, 2014 MEETING

The reconvened Planning Commission hearing was called to order by Mayor Offerdahl on Monday, August 4, 2014 at 6:00 p.m. at City Hall.

Members attending were Offerdahl, Carlson, Hoialmen and Veum. Member absent: Dufault.

Members of the public present were Larry Roed and Adam Bingham.

Offerdahl reviewed the issues discussed at the previous hearing relating to Roed's application for variance. Roed is requesting a variance from the required 30' setback in the rear yard for his building. He is requesting a 5' setback from the property line.

Bingham stated that his is still opposed to the variance request. Bingham also stated that he is not in a financial position to purchase Lots 18 & 19 at this time.

Roed has looked at Lot 4, Block 2, in the industrial park and would be interested in building on the lot. He stated that he would need to sell the four lots in Fairlawn Park before committing to the industrial park.

Offerdahl stated that the City would be interested in purchasing the four lots from him. The City would consider some tax increment financing assistance for Roed's project. Roed provided a Business Subsidy Application for the board to consider. The application will be forwarded to the City's financial advisor for review and an estimate of the increment that could be generated by the project.

The Council will take action on the proposed purchase of Roed's four lots at the meeting on August 11th. The Council will also consider Roed's Business Subsidy Application and the sale of Lot 4 in the industrial park to Roed at the August 11th meeting.

Roed requested that the Planning Commission approve his Application for Variance at this hearing. He stated that he is confident that an agreement will be reached with the City at the August 11th Council meeting, but he requested that the variance be approved now.

Bingham stated his opposition to the variance request and asked that the board deny the application or table the matter until the August 11th meeting.

Pursuant to testimony and evidence presented at the hearing, the Planning Commission makes the following findings and recommendations:

FINDINGS

1. The applicant desires to obtain a variance to construct a new building at 208 Hilligoss Blvd SE..

Roed owns the lots adjacent to the north where the setback is being requested. Roed is complying with the side yard setbacks of 15'.

2. The variance can be granted without upsetting the purpose and intent of the Zoning Ordinance.
3. The variance can be granted without altering the essential character of the surrounding area.

RECOMMENDATION

Carlson made motion, seconded by Hoialmen to recommend to Council that the Application for Variance from Larry Roed to construct a new building at 208 Hilligoss Blvd. SE be approved. Motion carried by unanimous vote.

There being no further business to come before the Planning Commission hearing, motion was made by Veum, seconded by Hoialmen to adjourn.

Charles Lucken, City Administrator