

MILACA PLANNING COMMISSION

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MILACA WAS DULY HELD ON THE 14th DAY OF AUGUST 2017, AT 255 1st ST. E. FOR THE PURPOSE OF PUBLIC HEARING AND REGULAR MEETINGS.

UPON ROLL CALL, THE FOLLOWING MEMBERS WERE PRESENT:

Scott Harlicker X Mike Cassens
Luke Kotsmith Sherie BillingsX Arla Johnson X Pam Novak X

EX-OFFICIO MEMBERS:

Marshall Lind, Building Official/ Zoning **X**

Laurie Gahm, Liaison

Others Present: Dale Clifton

Public Hearing – for a variance request from Dale & Beverly Clifton to have an accessory structure (deck) less than the required setback of 5 feet in an R-2 One and Two Family Residential Zoning District

Planning Commissioner Harlicker opened the public hearing and asked for comments or questions.

Mr. Clifton explained that he has submitted everything he could think of for the variance request. They would like to have an 8 ft. wide deck instead of a 6 ft. wide one.

Being no comments or questions, the public hearing was closed.

The Regular Planning Commission was called to order and roll call was taken.

Motion was made by Commissioner Johnson to approve the minutes of the July 10, 2017 planning commission meeting. Second by Commissioner Novak.

Motion **passed** unanimously

Commissioner Harlicker stated the next item on the agenda is the variance request.

Lind stated that the applicant was asking to have a 3 ft. side yard setback instead of the required 5 ft. side yard setback. Lind did state that the existing yard is less than the required square footage that our City Ordinance requires now, and that the width is 66 ft. and the required width on lots now is a minimum of 80 ft. Lind also stated that MN State Building codes do allow a structure to be within 3 ft. of a property line, anything closer would have to be fire proofed.

Commissioner Billings asked if there were any letters or phone calls from the neighbors. Lind explained that the City did not receive any letters or phone calls for or against this variance.

Mr. Clifton stated that he talked to the neighbor to the North, where the deck would be going and the neighbor didn't have any problems with it.

Commissioner Novak and Johnson stated that as long as none of the neighbors are against it, they don't see a problem with it.

Commissioner Harlicker did state that with a variance, there are conditions that need to be applied and one of the conditions is that the property cannot be put to a reasonable use and he believes the property

is being used to a reasonable use. Just because the owner wants to do something more, doesn't constitute granting a variance.

Commissioner Novak made the motion to grant the variance due to the size and shape of the lot does not meet current zoning standards. Commissioner Billings seconded the motion.

Motion **passed** 3-1, Commissioner Harlicker voted against because he feels the property can be put to a reasonable use.

Next item on the agenda was the review of the new rental/housing code ordinance.

There was discussion on who would be enforcing the ordinance, Lind stated that he would be doing the inspections but it would be a group effort between the building/zoning department, the police department and the fire department.

Lind stated the police dept. would be doing an 8 hour class that all owners would need to attend and they would also be doing background checks on the owners. There were questions if the renters would need background checks, Lind stated only if Council has determined that there are persons residing in the property engaging in disorderly conduct which results in a hostile environment, and then the Operator shall conduct criminal background investigation through the Milaca police dept.

There were questions about if you have a son/daughter living with you would you need to be licensed. Lind stated that in the ordinance, it allows for that situation without a license.

Commissioner Billings made the motion to recommend approving these ordinances to City Council as written. Commissioner Johnson seconded the motion.

Motion **passed** unanimously.

Lind explained that the ordinances would be sent to the City Attorney for review before it goes to the City Council.

With no other business a motion to adjourn was made by Commissioner Johnson, second by Commissioner Billings.

Motion **passed** unanimously

Minutes respectfully submitted by,

Marshall Lind

Marshall Lind
Zoning Administrator

Full minutes can be heard on tape on file