
Planning Commission Members:
Jeff Bartelt, Jenny Dumdei, Mark Spitzack, Myron Volker, (One Vacancy)

MINUTES OF THE CITY PLANNING COMMISSION
CITY OF JANESVILLE, WASECA COUNTY, MINNESOTA

MAY 17, 2016

1. CALL TO ORDER

Myron Volker called the meeting to order at 6:00 p.m.

Members present: Jenny Dumdei, Mark Spitzack and Myron Volker.

Members Absent: Jeff Bartelt and one vacant seat.

Staff present: City Planner Brandon McCabe and Intern Dillon Petrowitz.

2. APPROVAL OF AGENDA

Motion made by Dumdei, seconded by Spitzack, to approve the agenda. Motion carried 3-0 (Bartelt absent and one vacant seat).

3. APPROVAL OF MINUTES

Motion made by Dumdei, seconded by Spitzack, to approve the minutes from Planning Commission meeting held on Monday, March 7, 2016. Motion carried 3-0 (Bartelt absent and one vacant seat).

4. PUBLIC HEARING

a. Conditional Use Permit; Accessory Structure Exceeding 900 sq. ft. (King, Aaron)

Petrowitz summarized his staff report of the request. Mr. Aaron King, owner of the property located at 314 N Mott Street, requests approval of a conditional use permit (CUP) to allow an accessory structure to exceed 900 sq. ft. Mr. King intends to use the structure as private storage.

The City Zoning Ordinance designates detached garages and accessory structures exceeding 900 sq. ft. as conditional uses in the R-1 Single-Family Residential District (§ 152.032).

Upon review, City staff has determined that the Conditional Use request is consistent with the general intent of the R-1 Single-Family Residential District and the provisions of the City Comprehensive Plan, the proposed use is or will be compatible with the present and future uses of the area, the proposed use will not

have an adverse effect on the area in which it is proposed, the proposed use will not generate additional traffic and that the proposed use can be accommodated by public services and facilities including parks, schools, streets and utilities, and will not overburden the City's service capacity.

McCabe noted he did not receive any comments prior to the meeting.

Volker opened the public hearing at 6:01 p.m. to hear comment on the request for an accessory structure exceeding 900 sq. ft. at 711 N Main Street.

Aaron King of 314 N Mott Street was present at the hearing to address any concerns from the Commission.

Volker asked for clarification on the condition to not allow the storage of hazardous materials within the structure and what those materials may be. Spitzack commented that the restriction may apply to propane tanks or other flammable materials as well as chemicals that may be dangerous to inhale in an enclosed space.

Dumdei asked if the structure would be housing his business. King stated it would only be used as storage of construction materials.

McCabe stated that the structure would still meet all the setback requirements but requires a conditional use permit to permit the size to exceed 900 sq. ft.

Dan Seys of 209 W 3rd Street was present for clarification on the request. Seys had no concern or comment.

Volker closed the hearing at 6:10 p.m.

Motion made by Dumdei, seconded by Spitzack, to recommend approval of the conditional use permit to allow an accessory structure exceeding 900 sq. ft. upon the following conditions:

1. Maximum accessory structure size shall be 2,080 Sq. Ft. and shall be constructed according to the plans reviewed by the City of Janesville Planning Commission.
2. The structure shall satisfy all allowable space permitted for accessory structures and no additional structures shall be permitted.
3. All required permits must be obtained.
4. The exterior finish must incorporate design elements consistent with the principal residential structure on the property.
5. No storage of hazardous materials is permitted at the site.
6. All activities occurring under the CUP shall meet the conditions of the City's Noise Ordinance.

Planning Commission recommendation will be presented to the City Council during its regular meeting on May 23, 2016. Motion carried 3-0 (Bartelt absent and one vacant seat).

5. OLD BUSINESS

- a. There was no Old Business.

6. NEW BUSINESS

- a. Nuisance Ordinance Amendment (item added by Spitzack)

Spitzack asked the Commission to address nuisance ordinances in regards to parked vehicles on properties and properties that are in general state of disorder. Spitzack expressed that he is dissatisfied by the lack of enforcement against properties that appear to be in violation of City Ordinance. Dumdei agreed. Spitzack asked if the ordinance can be “beefed up” to prevent the properties from becoming nuisances. Spitzack did not find it appropriate to allow a deadline to abate the nuisance, or any extension thereof, before a penalty is imposed.

McCabe stated that he is currently revising a rental “three strike” ordinance as well as a possible tiered penalty structure that creates harsher penalties based on numerous violations within a one year period. McCabe stated that he will look further into what City ordinance will allow but did not feel that the law would allow a penalty on a property if the issue was acknowledged and addressed by the owner.

7. REPORTS AND ANNOUNCEMENTS

- a. Building Permit Report; End of Year.

Petrowitz presented the Building Permit Report for permits issued through April of 2016. The report included permits issued through April of 2015 for comparison. Petrowitz stated that the valuation between 2016 and 2015 decreased by an estimated \$147,797.82, noting that in 2015 a significant amount of reroof permits were issued. Also noted was that as of May 12, 2016 an additional ten (10) permits were issued totaling an additional \$225,056.00 in valuation beyond what was recorded for April 2016.

- b. Update: Street & Utility Improvement Projects.

Petrowitz stated that construction crews have completed the cut and resurfacing of South Main Street for the Holly Lane extension. In the coming weeks the crews have scheduled to concrete curb, install driveways, lay bituminous, seed/fertilize, and stripe the road. Substantial completion is still expected for the beginning of June 2016. Substantial project completion of 1st Street (Old Hwy 14) is still expected for the beginning of November 2016.

8. ADJOURNMENT

Motion made by Spitzack, seconded by Dumdei, to adjourn meeting at 6:34 p.m. Motion carried 3-0 (Bartelt absent and one vacant seat).