



**SPIRIT LAKE
PLANNING AND ZONING**

Regular Meeting & Public Hearing

Spirit Lake City Hall
October 3, 2017
6:30 PM

Commissioner Jill Shacklett called the meeting to order at 6:39 pm. Roll call was taken with Jill Shacklett, Tracy Hall, Dean Massender, Max Liese, Karl Harmon and Becki Gaddum present.

Commissioner Gaddum motioned to approve the minutes from September, second by Commissioner Harmon, followed with a vote of aye by all – motion passed.

Commissioners discussed the Edward Short Zone Change Request that was tabled at the previous meeting in September. Commissioner Gaddum motioned to approve changing the property located on the NW corner of Jackson and 5th Avenue (Hwy 41) from Residential to Commercial, second by Commissioner Hall. A roll call vote was taken with Commissioners Shacklett, Hall, Massender, Liese, Harmon and Gaddum all voting aye- motion passed.

Commissioner Hall motioned to open the Richard DeLima Zone Change Public Hearing, second by Commissioner Gaddum, followed with a vote of aye by all-motion passed. The request is to change the zoning of a .981 acre parcel from R-3 (Residential) to Commercial. The property is described as Lot 2 Block 78, Parcel#S60000780020, generally located on 5th Avenue (Hwy 41) between Madison and Jackson Streets.

Public comment:

Gary Schneider (Applicant)- Explained that he is in the process of purchasing the property and would like the zone changed from residential to commercial. He plans on building an office building for physical therapy and other medical professions.

Darrell Woods- Is in favor of the property becoming commercial. Believes there are enough residential areas in town and would like to see more businesses.

Commissioner Massender motioned to close the public hearing, second by Commissioner Liese, followed with a vote of aye by all- motion passed.

Commissioner Liese motioned to approve changing the zoning from R-3 (Residential) to Commercial, second by Commissioner Massender. A roll call vote was taken with Commissioners Shacklett, Hall, Massender, Liese, Harmon and Gaddum all voting aye- motion passed.

Commissioner Massender motioned to open the Bill Daum Conditional Use Public Hearing, second by Commissioner Liese, followed with a vote of aye by all- motion passed. The request is for a single family residence in a Commercial zone. The property is described as Lots 7 and 8 Block 21, Parcel#S4500021007A, generally located on the south side of Maine Street between 7th and 8th Avenues.

Rod Asburry with Daum Construction was present on behalf of Bill Daum (applicant). He explained that they were hoping to build a single family residence on a lot zoned Commercial.

Public comment:

Patrick & Shelley Tschida- Were unable to attend the meeting but submitted a letter of testimony. They are opposed for the following reasons:

- There is a limited amount of commercial property within the city limits and it should be preserved for future commercial use.
- The property is located between a commercial building and the City water tower.
- There is not a shortage of residential lots in town so there are better sites suitable for this use than to take a commercial lot permanently out of commercial use.

Mark Kroetch (Spirit Lake Area Chamber of Commerce) - He was unable to attend but submitted a letter of testimony stating he is opposed to the conditional use for the following reasons:

- Spirit Lake needs more commercial space. Our mission is to encourage additional business activity on Maine Street.
- Not in the best interest of the purchaser because of the existing commercial use of surrounding neighbors.
- The placement of a single family dwelling between a commercial business and City water tower will ensure that the value of the house and property will never achieve the highest and best value/use for the property and improvements.

Darrell Woods- Opposed. He agrees with the letters that were written. Commercial lots need to stay commercial. Putting a residence between a business and the water tower is wrong. Would like to see the property used for a future business or City water expansion.

Patty Woods- Opposed. Needs to remain a Commercial lot for a better tax base.

Karen Dunbarr- Opposed. The city does not need another house built on a Commercial lot. Does not like the look of the homes the builder is building and would hate to see another one of the same houses go on a lot that should be used for Commercial.

Mike Shantie- Opposed. Did not wish to speak.

Brian Pape- Opposed. Did not wish to speak.

Linda Mortensen- Opposed. Did not wish to speak.

George Mortensen- Opposed. Did not wish to speak.

Commissioner Massender motioned to close the public hearing, second by Commissioner Gaddum, followed with a vote of aye by all- motion passed.

Commissioner Gaddum motioned to deny the conditional use permit request, second by Commissioner Massender. A roll call vote was taken with Commissioners Shacklett, Hall, Massender, Liese, Harmon and Gaddum all voting aye- motion passed.

Brian Eiter explained the plans for Spirit Lake Stor-All. Commissioners reviewed and discussed the site plan. Commissioner Massender motioned to approve the site plan, second by Commissioner Gaddum. A roll call vote was taken with Commissioners Shacklett, Hall, Massender, Liese, Harmon and Gaddum all voting aye- motion passed.

Commissioner Massender motioned to adjourn the meeting, second by Commissioner Harmon, followed with a vote of aye by all – motion passed.

Written by:

Cortney Roth
Deputy Clerk

Accepted:

Chairperson Jill Shacklett