

**OAKPORT JOINT POWERS BOARD
SPECIAL MEETING MINUTES
WEDNESDAY, OCTOBER 24, 2007 — 7:30 A.M.
BASEMENT EAST CONFERENCE ROOM, MOORHEAD CITY HALL**

I. CALL TO ORDER/ROLL CALL

Chair Campbell called the meeting to order.

Members Present: (5) Kevin Campbell, Mike McCarthy, Tim Brendemuhl, Greg Anderson, and Nancy Otto.

Members Absent: (1) Dan Bohmer.

Others Present:

Debra Martzahn	City Planner
Casey Serocki	Community Services Program Assistant
Mark Hintermeyer	City Council
Candace Kassenborg	1004 62 nd Avenue North
Kirby Kassenborg	1004 62 nd Avenue North

II. APPROVAL OF MINUTES

Action taken: Anderson moved, seconded by Otto, to approve the August 27, 2007, meeting minutes. Motion carried by unanimous vote.

III. CITIZENS TO BE HEARD

None.

IV. AGENDA AMENDMENT

None.

V. PUBLIC HEARING

1. Request of Kirby and Candace Kassenborg for a conditional use permit to allow a 30-foot by 40-foot accessory building at 1004 62nd Avenue North.

Action taken: McCarthy moved, seconded by Otto, to open the public hearing. Motion carried by unanimous voice vote.

Martzahn briefed the Board on the applicant's request indicating that the proposed garage exceeds the ground coverage of the dwelling. The building would not encroach on any setbacks and lot coverage would increase to about 14%. Martzahn indicated that the proposed conditions are those typical for CUPs. She received two comments from neighbors concerned about the height of the garage, the impact of visibility to the park, and the potential use for the applicant's business.

Kirby Kassenborg indicated that he owns a small carpentry construction business and the vehicles are currently parked outside, so the garage would enable him to park them inside. Mr. Kassenborg requested a 12-foot wall height to accommodate his equipment.

Martzahn noted that the code limits accessory buildings to no taller than the house. The conditions suggest a maximum wall height of 10 feet.

Campbell indicated that he also has received a few phone calls of concerns regarding large garages in Brentwood and the impact of visibility to the park. He expressed his concern about the height of the garage.

Mr. Kassenborg indicated that the house is 17 to 18 feet to the peak and that, if the garage wall height is 11 feet, then the garage would be approximately 17 feet to the peak.

Mrs. Kassenborg questioned the difference in visibility to the park if they were to put up a fence or plant trees in their yard. Martzahn responded that the condition indicates screening will be to her approval and that it will need to be designed to allow visibility into the park.

Action taken: McCarthy moved, seconded by Anderson, to close the public hearing. Motion carried by unanimous voice vote.

Members reviewed board actions for similar requests.

Action taken: Anderson moved, seconded by McCarthy, to approve the request of Kirby and Candace Kassenborg for a conditional use permit to allow a 30-foot by 40-foot accessory building at 1004 62nd Avenue North, with the following revised conditions:

1. Maximum size shall be limited to 30 feet by 40 feet.

2. The building shall be located in the rear yard, as shown in the attached drawing, setback a minimum of five feet from the west lot line.
3. No business shall be conducted in the structure, the structure shall not be rented to non-residents of the dwelling, and the structure shall not be used for living purposes.
4. Building shall be no taller than the height of the house, with a maximum wall height of 12 feet
5. The exterior of the detached garage shall be of materials similar to those on the house and attached garage.
6. The existing storage shed shall be removed from the yard.
7. Screening shall be planted as approved by the zoning administrator to buffer the view of detached garage from neighboring properties.
8. All required state and federal permits must be obtained.

Motion carried by unanimous vote.

VI. OTHER BUSINESS

1. Request of Jan Schwindt for a minor subdivision of Lot 1, Block 1, Tree Story Addition, to provide access to newly created lot to be combined with Lot 6, Block 1, Tree Story Second Addition.

Martzahn noted that the Assistant City Engineer Tom Trowbridge has indicated he is okay with the minor subdivision but did indicate that the area is low-lying and fill will be required if it will be sold for a building site.

Anderson noted a concern of the neighborhood that the applicant is going to make this a shared roadway and build three houses on the other lot increasing the traffic on 1st Street South. Martzahn suggested that condition explicitly state that the new lot combined with Lot 6 allows only one dwelling.

Action taken: Anderson moved, seconded by Otto, to approve the request of Jan Schwindt for a minor subdivision of Lot 1, Block 1, Tree Story Addition, to provide access to newly created lot to be combined with Lot 6, Block 1, Tree Story Second Addition, with the following revised conditions:

1. The newly created lot is combined with Lot 6 of Tree Story Second Addition to provide street access for the purpose of creating one single lot for one residential structure.
2. A revised plat shows the new parcel and the remaining portion of the parent parcel, providing descriptions for both, and indicates a combination of the new lot with Lot 6 Block 1 of Tree Story Second Addition.

Motion carried by unanimous vote.

2. Update on GAP/AUAR Study.

Martzahn provided an update on the process and the work being conducted by the consultants.

Campbell asked about the status of the written request to be brought to the City Council by the Board in regard to the transitional zone. Otto suggested that the Board wait for the new plan to be adopted to be a guide.

3. Other matters.

Campbell requested that the City name an alternate to attend and vote in a Council member's absence.

VII. ADJOURNMENT

Chair Campbell adjourned the meeting.

Respectfully submitted:

Greg Anderson, Secretary
Oakport Joint Powers Board