

--UNAPPROVED --

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
July 13, 2022**

MEMBERS PRESENT: Doom, Schroeder, Lee, Deutz, and Muchlinski

MEMBERS ABSENT: Dennis Simpson

OTHERS PRESENT: Bob Byrnes and Jason Anderson

1. The meeting was called to order by Chairperson Lee. She asked for the approval of the minutes of the June 8, 2022, regular meeting of the Marshall Planning Commission. Doom MADE A MOTION, SECOND BY Schroeder, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.
2. Anderson explained that this is a request by the Owners, Mynor Noe Garcia and Dora Leticia Ramirez, to build a house at 905 West Main Street. The fire destroyed original house at that location about two years ago, but the foundation walls are still there, and the current owner wants to build a house on the existing foundation. This area is zoned B-3 General Business District and single-family residences are not a permitted use. Therefore, all houses along West Main Street are non-conforming uses. Ordinance allows to rebuild non-conforming uses within 180 days of their destruction so this variance will be extending that term to two years. Additionally, the setback for existing foundation is 25 feet rather than required 35 feet off Main Street, which is a thoroughfare. Approval of a variance request requires a presentation of practical difficulties which means, by Ordinance definition, that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, the predicament of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. In this case, the owner wants to build a house on the existing foundation, which is reasonable, the foundation wall location is existing, and surrounding structures are all single-family houses with 25 feet setbacks, which, taken together, may constitute practical difficulties as defined in the Ordinance and be a basis for granting a variance. Recommend approval to the City Council of the request by Mynor Noe Garcia and Dora Leticia Ramirez for a Variance Adjustment Permit to rebuild a nonconforming structure with reduced front yard. Deutz asked when the fire happened. Mynor Garcia said it was for sale and they just purchased it. Anderson added the fire was about 2 years ago. Schroeder said she would like to see it rebuilt versus an empty lot. Muchlinski agreed. Doom said where Garcia's deck will be is in line with all the other houses. Doom MADE A MOTION, SECOND BY Muchlinski to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Doom MADE A MOTION, SECOND BY Schroeder to recommend to City Council to approve the request by Mynor Noe Garcia and Dora Leticia Ramirez for a Variance Adjustment Permit to rebuild a nonconforming structure with reduced front yard. ALL VOTED IN FAVOR OF THE MOTION
3. Chairperson Lee asked for updates on the comprehensive plan. Anderson advised that the plan is moving along right now working on implementation. Schroeder said the next meeting they will get to review the comprehensive plan. There was a lot of focus on community partners and housing. The need for housing and finding homes for people coming to town. Anderson said it is getting close and exciting. Some implementation items may be specific and some more vague. Schroeder added that they discussed some timelines that are based on the need.
4. In other business Byrnes added that the council appointed new Planning Commission member. They had groundbreaking on block 11. Went over that there will be about 26 one-bedroom apartments. Jessie Dehn, Assistant City Engineer's last day is July 29th. Deutz asked about the old Helena plant if that is getting cleaned up. Byrnes said that they have gone out of business. The Quonset building is and has been in the flight zone. Went over several location that have been acquired locations that are in the flight zone. The City does have a purchase agreement that has been in place since 2019. In the agreement is the requirement for the cleanup of the site. A conversation was held on everything involved in the cleanup.
5. Since there was no old business, A MOTION WAS MADE BY Muchlinski, SECOND BY Deutz to adjourn the meeting. ALL VOTED IN FAVOR. Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Chris DeVos, Recording Secretary