

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
November 8, 2023**

MEMBERS PRESENT: Pieper, Deutz, Doom, Muchlinski
MEMBERS ABSENT: Lee, Stoneberg, Agboola
OTHERS PRESENT: Jason Anderson, Amanda Schroeder, Ilya Gutman

Call to Order.

The meeting was called to order by Vice Chairperson Muchlinski.

Approval of the Minutes.

Muchlinski asked for the approval of the minutes of the October 11, 2023, regular meeting of the Marshall Planning Commission. DOOM MADE A MOTION, SECOND BY DEUTZ, to approve the minutes as written. ALL VOTED IN FAVOR.

Conduct a Public Hearing for a variance adjustment permit for a reduced side yard setback for an addition at 304 East Marshall Street.

Gutman explained that this is a request from Denise Strosahl and Daniel Smith a married couple, to construct a new addition that would include a garage located three feet from the side property line instead of the required five feet. Gutman informed granting of a variance may be permitted only if the request meets the “practical difficulties” test, which requires that proposed use be reasonable, that the problem be caused by conditions that are unique to this property, and that granting the variance will not change the character of the area. Upon review, city staff believes that the argument could be made that this proposal generally meets first and third parts of the test: There are numerous structures in this block that do not meet minimum setbacks, which makes the request both reasonable and not changing the character of the area; however, there seems to be nothing unique in this property. The variance regulations and procedures are found in Section 86-29. A property aerial photo is attached for reference. Dan Smith of 304 East Marshall Street shared that he and his wife have lived in the home for 13 years. He made a PowerPoint presentation and said the garage is awkwardly narrow. It’s attached but does not function as an attached garage. He shared they plan to demolish and build a new garage wide enough so it can function the way an attached garage is supposed to function and look like it was meant to be there. The plan that was given to them by Independent Lumber showed the garage drawn at 16 feet in width which would be too wide. Dan informed that he plans to decrease that and have it built at 14 feet. If the Variance is granted, Dan informed they would only be using 6-8 inches of the required 5-foot side yard depending on where the property line is. Dan said neighbors shared their approval of the plan to update the home and he shared there are other homes in the neighborhood that are beyond the 5-foot required setback. Dan said the house is unique because in 1937, when the house was built, people did not use a garage the way we do now. Dan said the extra 2 feet of width would improve the living quality not just for them but for the future generation that would follow. Dan shared when they bought their home in May of 2010, they were the first people to purchase the home since 1959. He shared that instead of requesting a Variance Permit, the previous owner cut a flap into the back of the garage and outfitted it with hinges to have a makeshift door. Doom asked is the driveway pad exceeds the lot line, Dan answered they are unsure of where the lot line actually is located. He states an inspector used a laser to show the estimated outline of the line. Muchlinski asked what their approach would be if the Variance was denied. Denise Smith, Dan’s wife, stated the garage is being built for her since she is the one who uses it and has to worry every time she needs to get in and out and also be safer for everyone using it. Pat Surprenant of 400 E Marshall Street shared he was here as a voice of support as he also has a one-car style garage. He shared that some time ago he was in another meeting where another neighbor asked for a Variance request and it was granted. He said the plan for the change is good for the neighborhood. DOOM MADE A MOTION, SECOND BY DEUTZ to close the public hearing. All VOTED IN FAVOR. DOOM MADE A MOTION SECOND BY DEUTZ to make the recommendation to the City Council to approve the request by Denise Strosahl for a Variance Adjustment Permit for a reduced side yard setback as requested because the property is unique. ALL VOTED IN FAVOR.

Conduct a Public Hearing on the request to rezone property at 100 through 120 London Road from R-1 One Family Residence District to I-1 Limited Industrial District

Gutman explained this is a request by City of Marshall, Marshall, MN to rezone area at 100 through 120 London Road and as shown on attached map from R-1 One Family Residence District to I-1 Limited Industrial District for potential future development of a commercial building. The new Comprehensive Plan shows this entire area as a Commercial/Industrial Mix use with intent to allow for both commercial and light industrial uses. This mixed-use district ordinance with associated requirements has not been developed yet, but the current I-1 Limited industrial district will serve as the basis for the new district, making it an appropriate zoning district for this area. Rezoning procedures are described in Section 86-30 Amendments. A rezoning map is attached. Eric Lundberg 200 Athens Avenue asked if there would be access to Channel Parkway or if it would be on London Road and stated they are concerned about traffic. Anderson clarified there will be no access granted to Channel Parkway. It is an access restricted route. PIEPER MADE A MOTION, SECOND BY DOOM to close public hearing. PIEPER MADE A MOTION, SECOND BY DEUTZ, to make the recommendation to the City Council to approve the request to rezone properties at 100 through 120 London Road from R-1 One Family Residence District to I-1 Limited Industrial District. ALL VOTED IN FAVOR.

Consider Ordinance amending Section 86-106 I-1 Limited Industrial District

Gutman shared the new Comprehensive Plan has introduced a new land use: Commercial/Industrial Mix use, with the intent to allow both commercial and light industrial uses. This mixed-use district ordinance with associated requirements has not been developed yet. However, the current I-1 Limited industrial district description will serve as the basis for the new district requirements. Based on potential economic development in an area marked as Commercial/industrial use on the Land use map, a rezoning has become necessary, and the most reasonable way for the time being is to rezone this area to an I-1 limited industrial district, while also adding an office use to this district, in line with the future Commercial/Industrial zoning district. DOOM MADE A MOTION, SECOND BY DEUTZ for the recommendation to City Council to approve the revisions amending Section 86-106 I-1 - Limited industrial District by adding business offices as a permitted use in this district as proposed by staff. ALL VOTED IN FAVOR.

Other Business

Since there was no other business, A MOTION WAS MADE BY DOOM, SECOND BY DEUTZ to adjourn the meeting. ALL VOTED IN FAVOR. Vice Chairperson Muchlinski declared the meeting adjourned.

Respectfully submitted,
Karla Ellis, Recording Secretary