

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
APRIL 8, 2026**

MEMBERS PRESENT: Doom, Pieper, Muchlinski, Malecek, Johnson
MEMBERS ABSENT: Stoneberg, Runchey
OTHERS PRESENT: Ilya Gutman, Jason Anderson, Amanda Schroeder

Call to Order.

The meeting was called to order by Chairperson Doom.

Approval of the Minutes.

Chairperson Doom asked for the approval of the minutes of the November 12, 2025 regular meeting of the Marshall Planning Commission. Muchlinski stated on the minutes it shows the meeting was adjourned by Lee but Doom adjourned the meeting in November as the new Chairperson. MUCHLINSKI MADE A MOTION, SECOND BY MALECEK, to approve the minutes as corrected. ALL VOTED IN FAVOR OF THE MOTION. MOTION PASSED 5:0.

Conduct a public hearing on the request of Jeff Greenwood for a Variance Adjustment Permit for an enlarged garage with reduced side yard.

Gutman presented this is a request from the property owner to build an addition to an existing detached garage in the back yard. The existing garage is 1,080 SF and was built in 1993 with a variance to allow for two feet side yard instead of required five feet. The owner wants to add a 600 SF addition on the south side of the garage and change garage access point from Church Street to the alley. Zoning Ordinance requires that detached garages do not exceed 1,000 SF and do not occupy more than 25% of the rear yard of the property. This garage will have an area of 1,680 SF and occupies about 38% of the rear yard. Additionally, this addition will align with existing garage, which means that it will also have only a two-foot setback. By State Statutes and City Ordinance, granting of a variance may be permitted only if the request meets the “practical difficulties” test, which requires that proposed use is reasonable, that the problem is 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 believe that this application does not meet the second and third parts of the test. The lot is very ordinary and no different from other lots in the area and there are no other garages of this size in the neighborhood. The owner asserts that changing access to the alley instead of the street will enhance safety at a busy street, especially when church across the street is in session. The owner also states that he intends in the future to combine this lot with an adjacent lot, which he also owns; this lot combination will eliminate a need for variance for the Ordinance provision requiring that an accessory building would not occupy more than 25% of the rear yard, because such combination will at least double the rear yard size; however, the garage would still be larger than permitted 1,000 SF, and a variance would still be required. Jeffrey Greenwood, 107 Church St, stated he wanted to add on to his current garage to make it safer by going out through the alleyway instead of backing out into Church St.. Greenwood stated he currently has an adjoining driveway with his neighbor. Doom asked if the house is removed on 109 Church St, will that address also be removed too. Gutman confirmed it would be removed. Anderson shared the only concern would be the structure is 1680 square feet and the ordinance states accessory structures cannot be larger than 1000 square feet. Greenwood stated both lots are 60x120 so there was no room to have an attached garage. Johnson asked what Greenwoods intentions were with the current driveway if the garage would be expanded. Greenwood responded he would like to take half of it and add a sidewalk next to the house, then the rest would be grass up to the property line. Pieper asked once the house is removed from the second property, would that allow him to attach the garage to that side. Greenwood responded that the layout of the house is not suitable for an attached garage on that side. MUCHLINSKI MADE A MOTION, SECOND BY PIEPER, to close the public hearing. ALL VOTED IN FAVOR. PIEPER MADE A MOTION, SECOND BY MUCHLINSKI to recommend denial of the request to the City Council.. ALL VOTED IN FAVOR. MOTION PASSED 5:0.

–UNAPPROVED–

Conduct a public hearing on the Ordinance amendment to Table 86-185 Sign limitations

Gutman presented this is a minor change that will allow people to keep their small temporary signs longer than currently allowed. Generally, all temporary signs are limited to 14 consecutive days and 60 days total in a year. However, while discussing a specific situation, staff concluded that there is no harm in allowing people to keep a single small cardboard sign placed next to their houses for longer. Such signs may be favorite team recognition, dance club promotion, or even a political message. PIEPER MADE A MOTION, SECOND BY MALECEK, to close the public hearing. ALL VOTED IN FAVOR. JOHNSON MADE A MOTION, SECOND BY MALECEK to recommend to City Council approving the revisions amending Table 86-185 Sign limitations as recommended by staff. ALL VOTED IN FAVOR. MOTION PASSED 5:0.

Conduct a public hearing on the Ordinance amendment to Sections 86-27 Nonconforming Use, 86-30 Amendments, and 86-46 Issuance; Purpose

Gutman presented these are minor changes that clarify some ordinance provisions and align requirements by mirroring language found in similar provisions in other sections. These revisions are a part of the continuing improvement process staff have undertaken to make the Zoning Ordinance more straightforward, consistent, and user-friendly. MUCHLINSKI MADE A MOTION, SECOND BY PIEPER, to close the public hearing. ALL VOTED IN FAVOR. MALECEK MADE A MOTION, SECOND BY PIEPER to recommend to the City Council approving the revisions amending Sections 86-27 Nonconforming Use, 86-30 Amendments, and 86-46 Issuance; Purpose as recommended by staff. ALL VOTED IN FAVOR. MOTION PASSED 5:0.

Conduct a public hearing on the Ordinance amendment to Section 86-247 Landscaping

Gutman presented this is a minor change that clarifies where specific landscaping requirements are applicable. These revisions are a part of the continuing improvement process staff have undertaken to make the Zoning Ordinance more straightforward, consistent, and user-friendly. Gutman also stated that a change had been made to allow granting full certificate of occupancy for new houses before all required trees are planted. JOHNSON MADE A MOTION, SECOND BY MUCHLINSKI to close the public hearing. ALL VOTED IN FAVOR. MUCHLINSKI MADE A MOTION, SECOND BY MALECEK to recommend to the City Council approving the revisions amending Section 86-247 Landscaping as recommended by staff ALL VOTED IN FAVOR. MOTION PASSED 5:0.

Conduct a public hearing on the Ordinance amendment to Section 86-50 Home Occupations And Businesses

Gutman presented in the last nine years, the City of Marshall has not issued a single permit for a home occupation (there was one application in 2022, but the applicant withdrew it before public hearing). On the other hand, without a doubt, there are plenty of people in town who run businesses from their homes, even though we received few complaints. This contradiction shows a need for staff to review the home occupation regulations. Prior to 2013, all home occupations were required to have a conditional use permit, even though some people still did it without applying. To align with reality and relax requirements, the ordinance was revised to allow certain home occupations without a conditional use permit. The permitted home occupations are those that minimally affect the neighbors, such as fully internet or computer-based businesses. Further, in 2019, the home occupation permit was changed from conditional to interim, to allow for term limitations, after it was determined that conditional use permits may not have renewal requirements. All home occupation permits had always been initially issued for one year and then required renewal every five years; the goal was to first evaluate the effect on the neighborhood and then encourage people to move their businesses to business districts and thus contribute more to City's economy and development. In light of this recent nonexistence of home occupation permit applications, two possible ways of revising the ordinance to make it more relevant may be considered. The first one, reflected in the proposed ordinance, is to allow practically all home occupations as accessory use without requiring a permit (provided they meet certain requirements intended to reduce the neighborhood's impact) while still banning certain types. Effectively, this will leave very few home occupations that would need an interim use permit: most will be either permitted or banned. This approach will significantly reduce government regulations and City's involvement in home occupations. The alternative method may be to significantly reduce the application fee for the initial one year term, coupled with allowing staff to approve this initial application without the need for public hearing and planning commission or council involvement; this should be accompanied by an awareness campaign to share home occupations rules and requirements, and, on the other hand, a willingness to go after those who conduct business from home without first obtaining a permit, including charging administrative fines for ordinance violation when appropriate. This approach will allow greater control over home occupations. Regulations for home occupations vary greatly among other cities. Some cities allow all home occupations as accessory uses, and some cities require a permit for all home occupations, with practically no exceptions. And some cities are somewhere in between.

~~UNAPPROVED~~

All in all, staff believe that the proposed approach is reasonable and will provide greater flexibility while still maintaining a certain degree of control over situations where people may complain. If this staff proposal is adopted, it would still be reasonable to run a public relations campaign to familiarize people with changes and encourage them to apply for interim use permits if they must; those running businesses that are prohibited will have to stop operations at home. PIEPER MADE A MOTION, SECOND BY JOHNSON, to close the public hearing. ALL VOTED IN FAVOR. PIEPER MADE A MOTION, SECOND BY MUCHLINSKI to recommend approval to the City Council approving the revisions amending Section 86-50 Home Occupations And Businesses as recommended by staff ALL VOTED IN FAVOR. MOTION PASSED 5:0.

Adjourn

Since there was no other business, MUCHLINSKI MADE A MOTION, SECOND BY MALECEK, to adjourn the meeting. ALL VOTED IN FAVOR. MOTION PASSED 5:0. Chairperson Doom declared the meeting adjourned.

Respectfully submitted,
Karla Ellis, Recording Secretary