

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
APRIL 9, 2025**

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

Call to Order.

The meeting was called to order by Chairperson Lee.

Approval of the Minutes.

Chairperson Lee asked for the approval of the minutes of the March 12, 2025, regular meeting of the Marshall Planning Commission. MUCHLINSKI MADE A MOTION, SECOND BY STONEBERG, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION. MOTION PASSED 7:0.

Preliminary Plat of Carr Subdivision IV

Anderson presented the developer wishes to construct new twin townhomes along Donald Street, similar to the units to the north that face Andrew Street. The existing lots are not large enough to accomplish this, and the existing 6 lots need to be redescribed to create 5 lots. Typically, a landowner may split land from one parcel and combine it with another, and this may occur without a new plat. In this case, that cannot be done because Lyon County will not allow land combinations across different subdivisions. Because two of the lots are in Carr Subdivision II, and the rest are located within Carr Subdivision I, a new plat is required to redescribe the lots. Anderson shared staff is working with the land surveyor to make a couple changes, there is an existing utility easement right through the middle of future lot 3 that would need to be vacated and developer has submitted a petition to vacate. Bev Peterson, president of the condo association on Andrew Street, stated there was a unanimous vote and they would like the five additional condos. DOOM MADE A MOTION, SECOND BY STONEBERG, to close the public hearing. ALL VOTED IN FAVOR. PEIPER MADE A MOTION, SECOND BY DEUTZ to recommend approval of the preliminary plat of Carr Subdivision IV to the City Council, subject to utility companies review and recommendations ALL VOTED IN FAVOR. MOTION PASSED 7:0.

Preliminary Plat of Hwy 23 Storage Addition

Anderson informed the purpose of this plat is to combine three existing parcels into one lot. The lots cannot be combined without platting, because Lyon County will not combine land across different subdivisions, and this condition exists amongst the three existing parcels. This plat is coming forward at this time because the property owner wishes to construct a new storage building on the property and the Building Code does not allow for construction of a building across a lot line. DOOM MADE A MOTION, SECOND BY MUCHLINKSI, to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION, SECOND BY STONEBERG to recommend approval of the preliminary plat of Hwy 23 Storage Addition to the City Council, subject to utility companies review and recommendations. ALL VOTED IN FAVOR. MOTION PASSED 7:0.

Preliminary Plat of Wilke-Miller-Buesing Sixth Addition

Anderson shared the purpose of this plat is to create lots adjacent to the pond “behind” Canoga Park Drive. The developer desires to construct twin townhomes on lots 1-5, and possibly an 8-unit apartment on lot 6. The 20–24-foot access easement will be the location of a driveway to access each lot. The water and sewer service will need to be extended from Canoga Circle to service these development lots. A future development agreement may be required if the water and sewer mains will become public infrastructure. Doom asked if the road in front of the lots would be private? Anderson responded there is enough room to do a private access and meet the requirements of the ordinance. Doom asked if the utilities would be in the roadway. Anderson stated the intent was to come up that roadway easement. Muchlinski asked if the Wetlands Conservation Act will create any restrictions. Anderson responded in this particular location there are no known or identified wetlands. Anderson shared those wetlands are located on the adjacent property to the North and East. PEIPER MADE A MOTION, SECOND BY DEUTZ, to close the public hearing. ALL VOTED IN FAVOR. MUCHLINSKI MADE A MOTION, SECOND BY STONEBERG to recommend approval of the preliminary plat of Wilke-Miller-Buesing Sixth Addition to the City Council, subject to utility companies review and recommendations. ALL VOTED IN FAVOR. MOTION PASSED 7:0.

–UNAPPROVED–

Conduct a public hearing on the request of Greg Taylor to rezone the properties located at 1301 Canoga Park Circle from B-3 to R-3

Gutman presented a request by Greg Taylor to rezone his properties at 1301 Canoga Park Circle as shown on the attached map from B-3 General business District to R-3 Low to medium density residence District for potential future residential development of an 8-plex and several twin townhouses. The new Comprehensive Plan shows this entire area as a medium density residential use, meaning 6 to 12 dwelling units per acre. This proposed development will be within this density range. DOOM MADE A MOTION, SECOND BY STONEBERG, to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION, SECOND BY DEUTZ to recommend approval to the City Council of the request to rezone properties at 1301 Canoga Park Circle from B-3 General business District to R-3 Low to medium density residence District.. ALL VOTED IN FAVOR. MOTION PASSED 7:0.

Conduct a public hearing on the request of Greg Taylor for a Variance Adjustment Permit for a reduced rear yard of 10 feet for a building and extending a deck to the rear property line

Gutman presented a request from the property owner to build multiple twin townhome buildings as close to the pond as possible. The lot in question has an irregular rear property line that follows the pond edge. It is being subdivided into five lots, with a duplex to be built on each of them. Even though the lot depth varies along the pond, it is not deep, and, if the access drives along the edge opposite to the pond and all required setbacks are taken into consideration, the buildable area is restricted. In addition, the owner wants to take full advantage of the water feature, which means shifting buildings closer to it. Zoning Ordinance requires a rear yard of twenty five percent of the property depth in an R-3 district. Considering the existing lot depth and its irregular shape, the required rear yard depth will vary from 23.5 feet to 32 feet. Ordinance allows decks to project 8 feet into the required rear yard, so effective required rear yard for decks would vary from 15.5 feet to 24 feet. 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 the argument could be made that this proposal generally meets all three parts of the test: building duplexes is reasonable, the lot is unique due to the pond in the back, and building closer to that water line will not change the character of the area. In theory, the rear property lot line could be moved into the pond to allow for deeper lot and creating setback line at the water edge, but this option is opposed by staff. Doom asked if this was a water retention or private pond. GREG TAYLOR, property owner, stated he owned the pond, and it was a water retention pond. MUCHLINSKI MADE A MOTION, SECOND BY STONEBERG, to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION, SECOND BY PEIPER to recommend approval to the City Council of the request by Greg Taylor for a Variance Adjustment Permit for a reduced rear yard of 10 feet for a building and extending a deck to the rear property line. ALL VOTED IN FAVOR. MOTION PASSED 7:0.

Other Business:

Gutman stated there are terms ending next month and the members are encouraged to reapply.

Adjourn

Since there was no other business, DOOM MADE A MOTION, SECOND BY STONEBERG, to adjourn the meeting. ALL VOTED IN FAVOR. MOTION PASSED 7:0. Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Karla Ellis, Recording Secretary