



AGENDA
Planning Commission
Public Hearing
January 14, 2014 / 6:00 pm

- CALL TO ORDER
 - I call this meeting to Order at 6:01
 - ROLL CALL
 - Mike Welsch – here
 - Curt Carlson – here
 - Matt Vetsch is here
 - ACTION TO CHANGE AGENDA
 - No action to change the agenda
- None

1. Opening Statement of Planning Commission:

The City of Hokah will conduct a public hearing on January 14, 2014 at 6pm at the Hokah Fire Dept, 9 Mill Street to consider a request for variance by Robert Naleid to convert his residence at 607 Ash Street in the City of Hokah MN, to a duplex, 2 family dwelling without new construction.

First, thanks for having me, Mr. Naleid and his representative are present and we will afford them opportunity to speak to us in a minute. I want to give an overview of why we are here. Our ordinance provides a single family dwelling in the RA district, with a minimum requirement of 10,000 square feet. In a 2 family dwelling you need a minimum square footage of 15,000 square feet. The property owned by Mr. Naleid based on public records is 13,000 square feet. It is 100 x 130. Circulated with your materials are pictures that I received late yesterday afternoon from Mr. Naleid's representative for your review and consideration. There is also circulated a correspondence from a neighboring property owner for your review and consideration and then I also put forth to the commission members, basically a summary, if you will, on the analysis that needs to be done for a variance application. Recently, approx a year and a half ago, the state legislature changed the variance standard from what used to be called an undue hardship standard to a practical difficulty standard. A brief overview of what a practical difficulty standard entails and then we can discuss how we want to move forward tonight. Basically there are three parts to the practical difficulty standards. The first being that the property owner proposes to use the property in a reasonable manner, second is the land owners problem is due to circumstance unique to the property owner, not caused by the property owner and the third factor is that the variance would not alter the essential character of the locality. Once the conversation gets started with the members of the public we will refocus back on those three and then other factors for Planning Commission to consider would be whether or not the variance is in harmony with the purpose and intent of the zoning

ordinance and then we do not have a comprehensive plan in Hokah. That factor would not be, we would not compare this to a comprehensive plan. What I would suggest to the chairpersons is we allow Mr. Naleid and/or his representative to present what they want to us, I think then it would be appropriate for the chair to allow members of the community to speak and let us know what their thoughts are and then we can refocus the conversation back on the criteria and hopefully be in a position after everyone says what they want to say, to make a recommendation to the Planning Commission and a couple things just for Mr Naleid or Mr. Yahn, that the Planning Commission would like to address would be the number of occupants at that residence, what are the living areas, in terms of the facilities, kitchen, bathroom and then address with the commission members the public parking situation is in terms of off street parking, garage parking and those things. I turn it back to you Mr. Vetch.

At this time we will have Mr. Naleid and his representative

Thank you for allowing us to present and answer hopefully as many of your questions as we can today. To kind of go through the different points here, I will just jump on to what Mr. Weiser said to start with. Regarding the zoning code that you have here and how it falls within what you have existing is that if this is in the RA district, single family 10,000 sf and 2 family you have 15,000, my client falls in the 13,000 sf. If he simply had 2,000 more sf he would be able to have what he wants to have there

Parking space, what you have in your zoning, is if this was the type of structure could exist, my client would need two off street parking spaces per family unit. If you look at the picture, there are 3 outside parking spots and 2 ½ car garage – this would be 5 ½ parking spots at this time. I also think when you address that regarding the character of the neighborhood, it is a quiet neighborhood there. Is that those parking spots are all on the backside of the house, not exposed to the neighborhood there, it is more of an alley there. In addition to that, I don't know how many feet it is, but certainly you can see it in the pictures there, the site of my clients proposed duplex there are houses there. He owns an 8 plex, so if anyone wanted to park in the 8 plex they certainly additional spots and people could park there if they want to. At this time it is required to have 4, it is my understanding and we have 5 ½.

I also, regarding Mr. follow up on some other points there regarding the existance of----- ---families in there, there would be people living in the upstairs and people living in the downstairs like you would normally think of a duplex and that my client is no longer going to reside there. He will be moving to the City of La Crosse, WI and if the planning commission wants, I can give his address living in the state of WI. As far as, the questions as far as the interior of the dwelling, as far as the makeup of the structure and facilities, certainly, with reasonable notice, City Administrator Blank can come in and inspect the dwelling as you would like. If there would be any additional questions that would raise we would certainly –

The only thing my client would have remaining there are items he would need to maintain not only that property but the 8 plex that he owns. ie; riding lawn mower is there right now and tools needed to maintain the property.

I think other things that are important and that I think, from my understanding of the case that I think are important too, is the affect of this duplex on your governmental facilities, what is it going to do with the trash and water enforcement. My understanding is, I may be wrong in this, but my client has indicated to me there has been some increased billing by the City of Hokah, regarding the – now since May of 2013 of additional people there, that there has been additional billing to my client for the sewer system and whatever those-needs to be additional billing, my client has no problem with that, as far as the trash, for example, there was a 64 gallon dumpster there, he has moved it up to 96, it is my understanding there has been problem with the amount of trash collection that has been needed there. And certainly the 8 plex has a 100 gallon dumpster there that he can provide that for anyone with any additional needs.

The other issue that seems to be, is that, was brought up is a substantial change in the character of the neighborhood. I think you can look at it two different ways,² issues that come to me, 1 is regarding, in one of the pictures you can see, when you stand in my clients backyard, you can see the trailer park that is up there, so there are, if you will, I am not going to say transient people, but people who are in more non-permanent type structures live there as opposed to a traditional home. Also, again, within, not very far from his place we are talking about, you can see the 8 plex that is there as well. So this type of persons who choose to live in apartment type dwellings or trailer homes do exist in the immediate area of the proposed duplex. Also I think it is important too is that, I was in receipt of a letter from the resident who indicated some opposition to my clients request, one of the things that struck me out of that is that in the letter the gentleman indicates that he is afraid the duplex came into being the essential character of the neighborhood would change, and I think that is important in that, this has been a duplex since May of 2013 because there has been someone living upstairs while my client has been living downstairs. So, this has been a defacto duplex for 7 – 7 ½ months and he seems to think that, he has not noticed a change in the neighborhood according to that letter, he is afraid that if something would happen then that duplex would go into effect, it has been in effect and he hasn't noticed a very big change in the neighborhood. As far as, is there a feasible way for my client to change his practical difficulty so he wouldn't need to come before you for a variance, He certainly would have no problem buying additional land he needs to make it 15000sf. My understanding and if it would be changed to do it, no one is willing to sell him the additional land that he would need to meet the standard to the 15,000sf that he would need. But he certainly would be willing to do that. Also I think, and you can see it in some of the pictures there, a couple of the pictures where it shows the road, kind of an alley that goes back there, there is 13,000 sf that we have there, that is what exists for my client after the setbacks. If you take a look at the road/alley that goes back there and where the setbacks exist, and certainly we all know why set backs exist and there are reasons for those, but one of them would be if you want to expand that road, or do anything else like that. If you take a look at that and where that setback goes, and albiet, my client did measure that, but even if he were off some where some of those setbacks are going seems like a red flag or a red gas can sitting there, if the City would for some reason want to expand that road or go bigger on that road and use that setback, you would go through people's houses, so the ability to fully use that setback in some ways the city would be limited. And again he may only have per the tax record 13,000sf of records here, but he does mow a whole bunch more than that.

And the final thing as far as the practical difficulty this did not result from my client jumping the gun or doing an act that caused him to be outside of what the law would allow here in your zoning code. What is happening here is that his marriage ended and he had tried to sell the property, he is unable to sell the property, so to make this a usable structure for him was to suggest it be a duplex. Again, if he had 1500sf more, that would be allowable under the present zoning code, just that he is short that. So it is nothing that Mr N himself has caused, it is just one of those things that has occurred so he is here asking you to allow the variance here and again I think because of the duplex and has been in effect since May, a Duplex like structure, that I think the essential character of the neighborhood has not changed. Do you have any other questions you would like us to answer?

City Administrator – I want clarification, so he would be changing from an owner occupied to an owner absent duplex then?

Answer- Well, at this point here, that would be the plan is that he would be living in la Crosse and he would have families live here. Ideally they would want one to have ½ the structure and the other in the other ½ of the structure.

City Admin – Currently there are now many renters are in the facility?

Answer – Currently there is my client, at this point, my client is no longer living there, there is a female living upstairs and a male living downstairs.

City Administrator – But previous to this current change there were actually 3

answer – what there was – there was a friend going through a situation, not paying rent, he just allowed him to stay with him. That was just quite recently.

Do the Commissioners have any questions for Mr. N now?

One of the things, you could apply all the off street parking we can have, but there is still vehicles parked on the street all the time. We see them all the time. That is one of the biggest gripes I have seen and heard from the neighbors.

Another question – Certainly that is the first I am aware – I am not saying that is not happening, that is something Mr Naleid would address with any of his tenants and indicate that is not allowable and that certainly he would have no problem telling his tenants they should not be parking there.

Darlene Walsh – I can honestly say that my mother's driveway is right here, and to back out of my Mother's driveway, that red truck parks right behind the driveway, so when you come out of that driveway, he doesn't park down, whoever he is, he just is not courteous, if somebody comes into my Ma's or we leave, you have to be watching because you can barely turn to get out because he is parked right there, you know what I mean?

It is just like, if you do have off street parking, then #1, why isn't he utilizing it? Cause he always parked there, ALWAYS parked there. I could take picturews

After this, we are going to do this where everybody gets a couple of minutes, so if you can just wait and then if you can just state your name so it's in the minutes.

So at this time, if you want to keep going you can say your name and we will give you 2 minutes

Darlene Walsh, 609 Birch Street, Hokah, MN – the other question, I am not against anybody wanting to make money, but I really like living in my residential, the neighborhood that we have and I think we have enough rentals in this town, we have enough run down places that are being rented or whatever, and the other question is, you know I know he bought that facility down the street there, that 8 plex, are there any pictures to us of how that is gonna look? Because that guy looked into that place months ago and it's never been repaired or fixed and the car's not moved and all heap dump in there and it is kind of an eye sore for people, why isn't that fixed, you have insurance on stuff that should have been taken care of right away – I don't know what the deal is there. If you're not living there are those taxes on that home change from residential to out, you know, cause that's a lot of money, I think it is, and I mean, but for all the neighbors I have talked to, they just want to keep it as a residential place. Pretty soon everybody will be changing their houses into rentals and moving out of town! It's kind of like, and I like the fact that we know who our neighbors are, now we don't know who they are.

That's about 2 minutes Dar, are you done? Dar - Yes I am done.

Next.

Cindy Ross, 610 Ash Street, directly across – there is only one gentleman living upstairs?

Was there a gentleman and a woman living upstairs?

Yes, there was a friend of mine living with me

CR_Did you not make that into 2 separate upstairs like a studio upstairs, when I am looking at that place? The left hand side and then the steps to the right, is there another apartment upstairs?

Right now, what I would see if 2 steps, Mr N did not want to do anything here that would turn it into a duplex until we have approval from the Planning Commission here, we have people living there, but we are in this flux period here if they are going to allow it to be a duplex the plan here would be to have an upstairs and downstairs two separate places. At this point here, there is a mix of things but he did not want invest in it until he had the go ahead from the City Council.

But if they are already doing it what changes with this?

It would be legal for him

So, my point is, it's already being done is it not? And I have a red pickup parked directly across from my driveway, and you said there should be 5 spots available in the back for off street parking.

I guess I can't address that, I don't know how to answer that

Am I getting that there has to be more construction? You said it is not complete yet, so that leads me to believe there is more construction coming.

What, I guess, what I would suggest to say is that anything that is done to further split up the place has not been done, whether it requires further construction or not, I don't believe, just stopped everything at this point until we can get approval.

Blank – but his bonafide initial request for the zoning change was no new construction.

Well, we believe at this point he doesn't need to do additional construction here, but again, we don't know what you will require. If it's something for you to require to split this up and suggest Mr. Blank you come through to make it better for the city, we can do additional construction if that is something you require.

Question: Is there separate entrances?

Answer – Yes, upstairs and downstairs

Question: is there kitchen on both levels?

Answer – there is a kitchen upstairs and downstairs, there's a kitchen – that was agreed that would stay and --- ---- and then Jerry and me in my area. It has not been separated off. ----- If you look at the structure it is like 2 barns, one barn section is where Jerry and I have been living. Another section is were Stefanie was the other part of that

Blank – Rob, I think what Fred Ross was asking just to clarify, Jerry, this friend of yours living there, is he by himself?

By himself. And his vehicle is gone. Been gone all week long

Blank – does he have the red truck they are referring to?

There is a Winona Controls truck that's out on the street all the time

Winona controls truck is gone, they are gone

It was out there every night.

I don't know what – with my neighbors, but I will adjust that if that necessary -----I will fix it

Dar - One of the things, you wanted to do this, your thing was you were going to have them park in the back, as soon all them people are living there they are all parking in the front, so my thing is you say you're going to do it, but are you going to follow through? You're going to live in La Crosse so who is going to deal with it if there is an issue over there? You are in La Crosse, you're not gonna believe us calling "hey, the red truck is parked in the driveway again" R U going to be around to maintain all these properties? Cause it don't look like the one down the street you ain't maintaining at all, and I don't want that building over there that you own to look like that either.

Anybody else want to say anything?

Rita Christianson – I would like the Planning Commission to stick to the fact that we had written in the corner, the zoning ordinance to be 15,000 sf, if you start making exceptions to the rules you are going to have more exceptions than you care to have rules. That is a fact of life, also as far as that residence, the lady moved in to the – if you are standing in front of it, the left side of those stairs that was added, the gentleman moved in on the stairs to the right side through patio doors on top. Never seen anybody moved in to the downstairs, always a van, I don't know what kind of car is parked in the back, I never seen - I saw somebody leave one day. And as far as in the response of the letter that was written someone made a response that it has been going on since May or June and have not seen any change in the neighborhood. The 2 people living there now, yes, they are very quiet, however, as was stated earlier, we have transients possibly transients, living in the trailer court above us, the word transients means people come and go and transients probably would also be in that duplex, people come and go , we can't guarantee you will have the same nice quiet people that are in there now. You can't guarantee those people are gonna be there, you can't guarantee college kids aren't going to be there. We have a nice quiet neighborhood, we all bought our houses in a nice quite neighborhood, that is how we want to maintain it. I ask the Commission to stick to your guns with the 15,000 sf.

Anybody have anything else.

I would like o just say one more thing, seeing that he is not going to be living there I believe that it would be easier for him not to know exactly how the people how reacting there – you are never going to have a ----. If you get somebody else in there and you don't know how they are going to be and all that, you don't have the closeness of them behaving themselves as much I would say or whatever. I just don't want to see our

neighborhood run down.

Jerry Martell, Hokah City Council – I am a little confused. I sat at the Council table and heard Mr. Neiland speak about being a renter because of marital issues and the cost of the payments so he had a renter there. This was after he already had a renter, which based upon our City ordinances is not legal. So you ran illegal for seven months. Since he stated that the Council has managed to acquire an 8 duplex in our community, obviously from what I heard tonight acquired a place to live in La Crosse, WI. I am really confused in that respect. You say you have 5 ½ parking spots, which you are utilizing 2 of them in the garage. Does anybody park in the garage? What is in the garage? If you are not utilizing the garage spots, now you've only got 2 ½ spots and I am sorry you bought the place, but he probably should have come down and talked to the City of Hokah rather than just going forward with this project, and now 7-8 months after the fact come in front of the City Planning Commission and say Geez we need to change some things here. These people are right, that is a Residential Neighborhood, that's what it is sold as. Bottom line, black or white, he ain't got 15,000 sf. And what is in the garage? If the garage is parking, are there vehicles parked in that garage? Obviously a question that can't be answered.

That it?

My other questions, is you currently have it rented out now when it's not zoned for, if this does not get passed, does that renter leave? Who's going to make that decision and who is going to enforce it?

Well, what happened is the council may have just for time permit, think, from City Attorney standpoint, we were notified of this situation I would say generally in the Fall, a notice was sent by City Staff, that upon review, the intended use was not in compliance, we had given a period of time to either seek a variance or voluntarily bring the property into compliance, which is why he is applying basically after the fact. If Planning Commission does not recommend approval and the Council concurs with that, it will be up to myself and the Council to, the ordinance does provide for enforcement actions. Since I have been City Attorney which has been approximately 2 years, I don't think we have been engaged, or I have been engaged to bring an enforcement action.

Just curious.

That is generally the time line and we probably would have been here in December, but I think Mr. Jandt had some trials which precipitated a January meeting not a December meeting.

Dar - One more thing – did anybody ever go in and look at that property in there to see just how many rental units is in there? I mean, I think there are 2 upstairs and another one downstairs. So are we talking a duplex or a triplex? He moves south, that's another available unit downstairs. So, I want to know if anyone ever viewed the property. I think that would be one of my first steps check it out,

Just have 2 things to add, one would be whatever the Planning Commission would want to do, he is very open to whatever conditions you would want to set to make him comfortable granting my clients request.

A separate issue---- residents regarding the transient residents and what they would do to the community, is that – to the 8 plex in 2008 and I learned that Hokah is a wonderful community, my kids played at the Legion park, met a lot of nice people there and for different reasons we ended up moving to La Crescent and buying a house there. Things have changed in my life or will change here pretty soon and we are going to buy a house and live in Hokah. We like going to the fundraisers, everybody is nice to us, I like the restaurant up here in town, everybody says hi to me and knows my name and so when you think about some of the transient people that come into here, they come and they leave but also, they get a flavor of what the community is, and I think frankly having a chance, an opportunity to live - I can think of a lot of reasons that would be important. Caledonia would be a lot better for travel distance, Hokah, La Crescent would make a lot of difference, but Hokah is a very special community and it is a good community so when you look at the transient people coming in here, sometimes they have a negative connotation, but I also think of positive things too in that, so you have to look at it that way, people do come in, this is granted, they do live in Mr Nalied's duplex, I think you also could have just not negative things happen in the community, you could have positive things happen. People come in and you can make them exposed like my family, my wife and my children were and to like I plan to do what's best for your community and live here. And so I think you need to look at the positives when you allow people to come into your community who may initially not have the funds like I didn't when I first moved here to buy a house, but now I do and, because,----this area --- So I just think you need to look at that too.

Rita – in the word transient, I think you were the first person to bring that up on connotation with the mobile home court.

Yes

So that's why I also used that verbiage.

Yeah,

Mr Jantz – when you move to Hokah, maybe you should talk to Mr. Naleind and acquire that property while it's still a beautiful home.

It is a beautiful home.

I also want to point out some of the history of Hokah, the reason I came to Hokah – back in the 70's we were looking for affordable housing, we could not afford to buy a home in La Crescent where I am from . Hokah provided that housing. There are a ton of people in this town who bought homes because they could afford them in Hokah, and if you look there are not a lot of houses for sale in this town. So if you keep changing to

rental properties we're going to end up like La Crosse. The rental properties are taking affordable homes for first time home buyers.

That it Jerry? That's it.

Randy Choas - I am curious about some things, I kind of heard them a little bit too when I walked in , but becoming a duplex, to be zoned as a duplex I don't know, but I have been under the impression there has been 3 dwellings in that house at this time, 3 individuals. Which I don't have a problem with that, It's very amiable situation, looking down the road I live just south of that place, parking is something that I think about that I am concerned about that at this time is no concern, I believe the woman that lives upstairs on the south side of the place has a car, keeps to herself, at the current time I think it's going quite well. I am a little bit curious that it seems like this is kind of an after-the-fact meeting. To be quite honest with you, kind of 'rubber stamped' almost. But then again that's neither here nor there. I have no issue with what Rob is doing. I think he has – as a home owner in this town, I would like to think we have rights with our properties within the limits outlined in the community and I think he has operated with it, in hindsight, would this have been a time to speak about these things before the introduction of the people in this home, possibly, but at this point that is probably a mute point, neither here nor there. There is going to be no continued construction from what I gathered from the mailing. No changes to the house from what I gather. So I just, kind of curios, duplex, I heard the term tri-plex used when I walked in the door. So there some ambiguities that are kind of floating around in terminology. But when the rubber hits the road, there is no problem going on over there. Rob's brought people into this community, they are very amiable, very neighborly, they keep to themselves, at the same time they are sociable when you meet them out in an alley coming and going, saying Hi. If this is the kind of thing that keeps up I don't see any kind of problem with what Rob's doing.

Commissioners, do you have any questions or comments ?

The next thing would be for the Commission, based on what we have heard, to review the standard. If the Commission is ready to make a recommendation either way to the City Council. Whether that recommendation is Yes or No, just as you are reviewing your things, you want to go through the standards that are outlined there. Two things, just from my perspective, while you are contemplating what you want to state, two things that kept, that I kept hearing, for me anyway are the concerns about parking and there's concerns about 2 family or 3 family and so if the Commission wanted to, I think those would be possible conditions is how we structure the parking there and then limiting the 2 family. I can tell you sometimes those conditions get to be hard to enforce, or could be six months from now or a year from now, we don't know who's there or who's car is who's, but hopefully the property owner would stay on his tenants.

I guess I do have a question for--- what exactly makes a property a duplex? Is it intent or is there a structural?

We don't have, our ordinance does not define a duplex, but basically we allow for 2 family dwellings in that

district but you have to have the minimum square feet of 15,000. So what they are asking for is a variance which basically means you vary the rule to reduce that to 13,000sf to what they have.

Can I ask a question? You are saying, can you define like a 2 family then? Could there be 2 guys living upstairs unrelated and 2 guys downstairs unrelated? Would that still be a 2 family?

The way the current ordinance is, Yes. We don't

So they could have 5 people upstairs and 5 people downstairs and there is no regulation on that.

The current ordinance doesn't get into defining family in terms of marriage, blood relationship, familial relationship, those types of things.

So we could be opening up a can of worms that way too then right?

Blank – Well it's not limited, Fred, to just one person. So it could be a family.

But if they are related, I consider a family as being related in a dwelling. You know what I mean? That's how you get your 2 family dwelling and that way. I am wondering

Blank – we don't have that definition in the ordinance so there could be more than

I am just looking at the aspect that it could go that way, not that its gonna go that way, but it could go that way.

Blank – it could

It is a possibility.

Blank – Right

And if it were, again Parking is an issue back there. Would there be opportunity on the street for parking? What parking accommodation with the numbers of people living there.

Blank – previous to your arriving at the meeting they had talked about a vehicle that does on a consistent basis park out front in the street causing problems for people who have drive ways right across the street. Red pickup. What he is saying is that there is sufficient parking right now for the people who live there with 2 in the garage and 2 and ½ outside. As for what the ordinance calls – but previous to your being here there was a discussion about a vehicle.

Would Berry and his business, with his parking at the entrance to that alley and Don with his vehicles, that's a small alley, with this time of year with snow, garbage pickup. That's the only real concern I have. What goes on in the home isn't my business, really, personally, that is the way I look at it.

Blank – to bring you up to speed he has been residing at that residence but now he is going to be moving to La Crosse, so he is not going to be occupying that house, so that also was some concern by people.

Oh, was I late? I thought it started at 6:30.

Blank – no 6:00

Oh, I am sorry I had 6:30 written down.

I was just reading your face, I thought you wanted to make a comment.

I think that we recommend that we stick to the 15,000 square feet. Being that I know how many other places around have 15,000 sf haven't done it yet and could possibly if we----- I think we have enough rentals in Hokah already.

I make the motion that we [unclear]15,0000 sf and I think we have enough rentals already.

Would I would suggest Mr. Walsh is that motion is going to be seconded before the chair calls for a vote go through, for purposes of our minutes why you feel why the commission feels that the standards are not met. I don't know if that is [unclear]something that there is a separate motion for.

All Agree – characters and--[unclear]----

I'll second it.

Before we vote then do you want to articulate why you feel that it would alter the essential character of the locality.

I feel that there would be how many other places that go ahead and do it to once we set the precedence, that he can do it with 13,000sf that anybody could pretty much that has 13,000sf.

Would there be any concerns of traffic or any of the other things that were mentioned?

Off street parking is a concern to the neighborhood we have heard enough people talking about that, I talked to 3 other neighbors I got the same responses.

I guess my issue with the central character of the lot size requirements are set up for a reason, it does fail to meet that, In my neighborhood there is a property that is used as a business and essentially turned into a junk yard and nothing ever gets done about it and that has had an adverse affect on the neighborhood, not saying that would happen here, but if all we have to go on is the limited zoning laws, I think 13,000 sf I think the purpose of that is to allow the[unclear]don't have it.

Also the confusion on what the multi-family structure is,

that is the issue I have with altering the character of the[unclear] essential the character of the locality having a house look the same. - as far as having renters in, I [unclear]I rented, part of me leans that way, I just think it's- that's more opinion type driven what we have is an ordinance of 15, 000sf.

For enforcement of the parking issues, we don't have.

Based on your conversation we agreed to, I guess I would give back to you and then you can decide if you want to include these in your minutes as findings:

Basically the request to deny would be the concerns regarding the lack of off street parking available and the City's ability to monitor off street parking. The lot size is established at 15,000sf and the current property fails to meet that requirement. There has been concern expressed by the community as to the number of people that would be allowed at the property and that would adversely impact adjoining property owners. In general the ordinance does not limit or define the number of people allowed at a 2 family dwelling

Is that what the Commission's findings are?

#2 again? That the City Council set the lot size at 15,000sf and the current applicant fails to meet that requirement.

I think we approve that is what we want.

At this time we will call for votes – Mike Walsch – I want the motion

I would suggest a second motion approving the actual findings of the planning Commission,

I make a motion to approve the actual findings of the Commission

I second it

All in favor say Aye

AYE

Apposed?

Motion to adjourn – seconded

6:58pm

- a. *Purpose of Meeting*
- b. *Read aloud the request by Aaron Naleid*
- c. *Clarify correctness of request with Aaron Naleid*
2. Determine current occupants at Naleid residence.
3. Determine living areas separate from Owner/Occupant.
(How many, what size, facilities, i.e.: Kitchen, bathroom, etc.)
4. Off- Street Parking availability.
5. Discussion
6. Planning Commission review current Laws, Ordinances, and procedures
7. Recommendation of Planning Commission to Hokah City Council
8. Adjournment: