

CITY OF MOTLEY  
PLANNING AND ZONING COMMISSION  
AGENDA  
June 25, 2013  
5:30pm – Motley City Hall

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1. Call to Order
2. Roll Call
3. Public Hearings  
*(NOTE: members of the public wishing to comment on a particular public hearing will be given an opportunity during the appropriate public hearing)*
  - a. Conditional Use Permit and variance to add a 7,300 sq ft addition to the existing church within the required 50 ft road right-of-way setback and a variance to exceed 50% impervious coverage without a stormwater management plan. Project will also involve creating a new approximate 8,100 sq ft gravel parking area.
    - i. Applicant(s): Motley Free Methodist Church
    - ii. Property Address: 33 Wellwood Street East, Motley
    - iii. Legal Description: Lots 1-6, Block Twelve, Original Plat of Motley
    - iv. Parcel Number(s): 410089000, 41009000, 410091000, 410092000, 410093000, 410094000
4. Additions or Deletions to Agenda
5. Open Forum  
*(NOTE: the open forum is an opportunity for members of the public to comment on any item not related to a specific agenda item, but relating to land use regulations or planning within the City)*
6. Approval of Minutes
  - a. May 28, 2013
7. Planning and Zoning Administrator's Report
8. Other Business
  - a. 2013 Planning Commission Work Plan (direction from City Council)
9. Adjournment

This agenda is not exclusive. Other business may be discussed as deemed necessary.

**Members of the public:**

*Please see the next page for the City of Motley's policy regarding "Standards of Conduct at Public Meetings".*

**CITY OF MOTLEY  
STANDARDS OF CONDUCT AT PUBLIC MEETINGS**

The City Council encourages good-faith testimony from its citizens and desires to provide an environment based on respect and civility. In order to do so, the City Council of the City of Motley has established the following Standards of Conduct at Public Meetings, based on the norms of acceptable and courteous business behavior:

1. Members of the audience wishing to address the Council shall first secure the permission of the Chairperson.
2. Members of the audience will refrain from disruptive actions such as hand clapping, stamping of feet, whistling, cheering, yelling or similar demonstrations, which conduct disturbs the peace and good order of the meeting and which conduct might have an intimidating effect upon members of opposing viewpoints.
3. Persons addressing the City shall also refrain from slurs against race, creed, color, religion, national origin, gender, sexual or affectional orientation, marital status, familial status, age, disability, or status with regard to public assistance.
4. Profanity, slander, false statements, violence, or the threat of violence in any form shall not be tolerated.
5. City Officials shall also comply with these **STANDARDS OF CONDUCT**, the City of Motley's **CODE OF ETHICS FOR PUBLIC OFFICIALS** and the **CITY OF MOTLEY CONFLICTS OF INTEREST POLICY**.

Violations of these **STANDARDS** shall be determined by the opinion of the Chairperson of the meeting or, absent such opinion, by the opinion of the majority of the members of the deliberating body.

1. Any person violating these standards shall be called to order by the Chairperson of the meeting. If such conduct continues, said person may, at the discretion of the Chairperson, lose the floor. With the exception of Elected Public Officials (e.g. City Council) at City Council meetings, said person may be denied further audience before the City for that meeting.
2. If said person refuses to come to order and obey the directives of the Chairperson of the meeting, the Chairperson may request that said person leave the building. An exception to this is made for Elected Public Officials at City Council meetings as protected by law.

## STAFF REPORT

**Application:** Conditional Use Permit and variance to add a 7,300 sq ft addition to the existing church within the required 50 ft road right-of-way setback. Variance to construct a new approximate 8,100 sq ft parking area causing the property to exceed 50% impervious coverage without a stormwater management plan.

**Applicant:** Motley Free Methodist Church

**Agenda Item:** 4(a)

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### Background Information:

- **Proposal:** The applicants are proposing to construct a 7,300 sq ft addition on to the existing church. The addition would be for a new worship area, two offices, restrooms, a nursery, mechanical and an entry/common area. Much of the addition would be over a portion of the existing paved parking lot and as such the church is also planning to construct a new 90 by 90 foot gravel parking lot on another location on the property. The new parking area would cause the lot to exceed 50% impervious coverage, which is allowed by ordinance only with a stormwater management plan that will retain the 10-year, 24-hour rain event. The building addition itself would be within a few feet of the right-of-way for Wellwood Street on the south and approximately 15 feet of what appears to be MN DoT right-of-way on the west (staff is attempting to verify the ownership of the land immediately to the west of the church lot).

Churches are listed as a conditional use in the C-2 zoning district while parking lots are listed as a permitted use. The proposed church addition would meet height restrictions and all other setbacks.

- **Location:**
  - Property Address: 33 Wellwood Street East, Motley
  - Legal Description: Lots 1-6, Block Twelve, Original Plat of Motley
  - Parcel Number(s): 410089000, 41009000, 410091000, 410092000, 410093000, 410094000
- **Zoning:** Commercial (C-2)
- **Lot size** (estimated from Beacon website): 71,200 sq ft (~1.6 acres)
  - Existing Impervious Coverage (based on aerial photo):
    - ~32,000 sq ft (about 45 percent)
  - Proposed Impervious Coverage (based on plans and aerial photos):
    - ~40,100 sq ft (about 56 percent)

- **Natural Features:**

Floodplain: The property is not within an identified floodplain.

Bluff/Steep Slopes: The property does not contain any steep slopes or bluffs.

Wetlands: There do not appear to be any wetlands on the property.

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**Applicable Statutes/Ordinances:**

**Minnesota Statutes**

**462.357 (2011) OFFICIAL CONTROLS: ZONING ORDINANCE.**

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**Subd. 6. Appeals and adjustments.**

Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight 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. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section [216C.06, subdivision 14](#), when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

SECTION III - RULES AND DEFINITIONS

3.2 DEFINITIONS

The following words shall be defined as follows for the purpose of this Ordinance:

**61. Church.** A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building,

together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship and related community activities.

**158. Parking lot.** An off-street, ground-level open area that provides temporary storage for motor vehicles with a paved or all-weather surface.<sup>1</sup>

**SECTION V - ZONING DISTRICTS AND DISTRICT PROVISIONS**

**5.6 Commercial (C-2)**

- 1. Purpose: To provide a zoning classification for commercial uses oriented around the automobile. Parcels are larger than in the Urban Commercial zone in order to provide on-site parking, on-site stormwater facilities as well as on-site water supply and sewage treatment where municipal utilities are not immediately available.
- 2. Permitted Uses. (C-2)<sup>2</sup>  
See Section 5.11
- 3. Conditional Uses. (C-2)<sup>3</sup>  
See Section 5.11
- 4. Accessory Uses. (C-2)<sup>4</sup>  
See Section 5.11
- 5. Excluded Uses. (C-2)<sup>5</sup>  
See Section 5.11
- 6. Lot and Use Requirements. (C-2)
  - Impervious surface coverage - maximum.....50%
  - Setback, right-of-way - feet.....50
  - Setback, parking from lot line - feet.....30
  - Setback, side - feet.....10
  - Setback, rear - feet.....10
  - Building height - feet, maximum.....25
  - Building above highest known groundwater.....3
  - Minimum lot size - square feet.....20,000
  - Onsite sign setback - feet.....10

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<sup>1</sup> Ordinance Resolution 2009-3, 4/28/2009  
<sup>2</sup> Ordinance 2009-3, 4/28/2009  
<sup>3</sup> Ordinance 2009-3, 4/28/2009  
<sup>4</sup> Ordinance 2009-3, 4/28/2009  
<sup>5</sup> Ordinance 2009-3, 4/28/2009

7. Performance Standards. (C-2)

- A. Compatibility of Use. Use shall be compatible with the surrounding neighborhood. Uses shall not present noise, odor, light nuisances or any other nuisances.
- B. Parking. Adequate off-street parking shall be provided. On-street parking is not allowed under any circumstances.
- B. Screening. All sites shall be heavily landscaped to provide 100% screening to adjacent residential parcels and over 25% screening from the road or any non-residential parcel. Percentages shall be determined by amount of structure that can be seen during leaf-on conditions. A landscaping and screening plan must be submitted and approved by the Planning Commission with each conditional use permit.
- C. Lighting. Lighting shall be minimal. Lighting shall be downward directional and shall be compatible with the surrounding development. Lights approved with signs must be turned off at the close of business each day.
- G. Impervious Coverage. The impervious coverage may be increased by 50% provided the following:
  - a. A stormwater management plan that retains the 10-year, 24-hour rain event is provided. Upon approval, the plan must be fully implemented.
  - b. Direct runoff to adjacent properties in a 10-year, 24-hour rain event is eliminated through the use of swales, berms, ditches, grading or other necessary means.

5.11 Land Use Matrix<sup>6</sup>

**Table 1. City of Motley Land Use Matrix**

A - Denotes Allowed without a Permit P - Denotes <i>Permitted use</i> C - Denotes <i>Conditional use</i>		AC - Denotes <i>Accessory use</i> E - Denotes Excluded Use							
Use	NR	R1	R2	R3	DMU	PU	C2	C1	I
<i>Church</i>		E		C	C		C	P	E
<i>Parking Lot</i>	E	C	C	C	C	P	P	P	P

<sup>6</sup> Ordinance 2009-3, 4/28/2009  
City of Motley  
June 25, 2013

## SECTION IX - ADMINISTRATION

### 9.5 Conditional Use Permits.

3. In permitting a new Conditional Use or alteration of an existing Conditional Use, the Planning Commission may impose, in addition to the standards and requirements expressly specified by this Ordinance, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the City as a whole. These conditions may include, but are not limited to the following<sup>7</sup>:
  - a. Increasing the required lot size or yard dimension.
  - b. Limiting the height, size or location of buildings.
  - c. Controlling the location and number of vehicle access points.
  - d. Increasing the street width.
  - e. Increasing or decreasing the number of required off-street parking spaces.
  - f. Limiting the number, size, location or lighting of signs.
  - g. Requiring berming, fencing screening, landscaping or other facilities to protect adjacent or nearby property.
  - h. Designating sites for open space.
  - i. Stormwater runoff management.
  - j. Reducing impervious surfaces.
  - k. Increasing setbacks.
  - l. Restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.
  
4. The Planning and Zoning Commission shall decide the issue with consideration to the following:
  - a. The following must be met:
    - i. The use or development is an appropriate conditional use in the land use zone.
    - ii. The use or development, with conditions, conforms to the comprehensive land use plan.
    - iii. The use with condition is compatible with the existing neighborhood.
    - iv. The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.
  - b. The following must be considered:
    - i. The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminishes or impairs values in the immediate vicinity.
    - ii. The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property

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<sup>7</sup> Amended by Ordinance 153.05, 3/9/2010  
City of Motley  
June 25, 2013

- for uses predominant in the area.
- iii. The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- iv. The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or indifference with traffic on surrounding public thoroughfares.
- v. Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.
- vi. Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result.
- vii. The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.
- viii. The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

## **9.6 Variances.**

- 5. In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions<sup>8</sup>.
- 6. Variances shall be decided within the required time frame with consideration for the following:
  - a. The strict interpretation of the Ordinance would create undue hardship, and
  - b. The strict interpretation of the Ordinance would be impractical because of circumstances relating to lot size, shape, topographic or other characteristics of the property not created by the land owner, and
  - c. The deviation from the Ordinance with any attached conditions will still be in keeping with the spirit and intent of the Ordinance, and
  - d. The variance will not create a land use not permitted in the zone, and
  - e. The variance will not alter the essential character of the locality, and
  - f. The variance is not for economic reasons alone, but reasonable use of the property does not exist under the Ordinance.

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<sup>8</sup> Amended by Ordinance 153.05, 3/9/2010  
 City of Motley  
 June 25, 2013

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**(Conditional Use) Staff Findings:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

1. **The use or development is an appropriate conditional use in the land use zone.** Churches are identified as a conditional use by the Land Use ordinance.
2. **The use with condition is compatible with the existing neighborhood.** The church already exists in this location and has for many years. The proposed larger church building would not appear to be incompatible with the adjacent mix of land uses, which include single-family residential to the south, a state highway to the west and state highway right-of-way to the north and a mobile home park and other residences to the east.
3. **The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.** Churches are an integral part of Motley and communities throughout the area and would not be expected to be injurious for any of the above issues.
4. **The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminishes or impairs values in the immediate vicinity.** The proposed church would not be expected to be injurious to neighboring property owners, as churches of moderate or small size (such as is proposed) are generally not seen as an impairment on a neighborhood unless there is excessive traffic.
5. **The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.** The proposed church addition and parking lot would not present any hindrance to the normal and orderly development of surrounding land, which is generally already developed.
6. **The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.** No public facilities or significant improvements to roadways would be expected to be necessary as an immediate result of this project.
7. **The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or indifference with traffic on surrounding public thoroughfares.** There is an existing approach on the south side of the property (from Wellwood Street) and a new approach would be constructed on the east side of the property (from 1<sup>st</sup> Avenue North) to serve the new parking area.
8. **Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.** The applicants are intending to build additional off-street parking to accommodate their parking needs – both for now and in the foreseeable future.
9. **Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a**

**nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result.** Outside of normal construction activities, these types of nuisances would not be expected to be a part of the expanded church building. The proposed gravel parking lot could increase dust at times, although most of that traffic would be likely to be limited to times when church services are held.

10. **The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.** The proposed building addition and parking lot would not appear to have any significant impact on any natural, scenic or historical features.
11. **The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.** The greatest likelihood for pollution from this use would be from the increased impervious surfaces on the lot (the new gravel parking area), which could include normal pollutants from vehicles – dripping oil or other fluids, rubber dust from tires, other materials picked up by tires during driving. No specific stormwater treatment area has been proposed. The Morrison County Soil Survey indicates the soils on the site are Menahga loamy sand, 2 to 8 percent slopes. The survey indicates that water infiltrates quickly into the soil and that “Surface runoff is slow or medium. The content of organic matter is low.” As such, it would appear that the increased impervious coverage would not necessarily cause runoff problems for nearby properties (if properly directed to areas that are not compacted and where infiltration is possible). The rapid rate of infiltration however, could also make it more likely that pollutants would enter the groundwater.

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**(Variance) Staff Findings:** The following findings of fact are presented by Staff for consideration by the Board of Adjustment:

1. **Will the granting of the variance be in harmony with the general purposes and intent of the Motley Land Use (Zoning) and/or Subdivision Ordinance?**

The spirit and intent of the 50 ft setback for buildings from a right-of-way in the C-2 district is presumably to ensure that buildings located along high-speed roads are set back enough distance to ensure safety for vehicles and property. In the DMU and residential districts, where traffic speeds tend to be lower, the setbacks from the right-of-way can be as low as 1 foot and as high as 30 feet.

Given that the church is on a low-volume, dead-end road and not in a highly commercial setting, the lesser setback applicable in the DMU district (1 ft) seems appropriate.

The spirit and intent of the requirement for a stormwater management plan on C-2 district lots that exceed 50% impervious coverage is to help ensure that stormwater runoff does not cause flooding problems in the area and so that runoff can have adequate space and time for infiltration into ground and/or allow for pollutant to settle out before entering ground or surface waters.

The ability for runoff from the impervious surfaces on the lot to be treated or infiltrate into the ground will depend on how the site is graded - especially that of the new parking lot. The more that the water can be directed toward infiltration areas on the parcel itself, the less impact there will be on neighboring properties.

**2. Will the granting of the variance be consistent with the Motley Comprehensive Plan?**

The Comprehensive Plan does not directly address issues such as stormwater management or building setbacks. It makes general statements about a desire to improve the quality of life for residents of the City.

**3. Is the proposed use of the property reasonable?**

The proposed use of the property for a larger church necessitates additional parking capacity. The proposed addition appears to be of reasonable size and the desire/need for additional parking areas seems reasonable.

**4. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?**

The need for the road right-of-way setback variance is created primarily by the location of the existing church building and the design of the addition. An alternate design that avoided the need for a setback (at least to the Wellwood Street side) would seem possible - although Staff is unaware of whether alternate layouts would be feasible.

**5. Will the variance, if granted, alter the essential character of the locality?**

The site will remain used for church facilities and the only change will be the larger building and the additional parking. It would not be expected to significantly alter the essential character of the area.

**6. Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?**

The location of the existing church building and the need for additional parking are factors involved in the request beyond just economic.

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**Planning Commission / Board of Adjustment Direction:** The Planning Commission / Board of Adjustment may approve the variance and conditional use requests, deny the request(s), or table the request(s) if the PC/BOA should need additional information from the applicant. If the PC/BOA should approve or deny the request, they should state the findings which support either of these actions.

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**Staff Recommendation:** Based on the findings of fact and discussion listed above, Staff recommends:

1. Conditional use permit (church expansion): Approval for the expansion of the existing church building by approximately 7,300 sq ft.

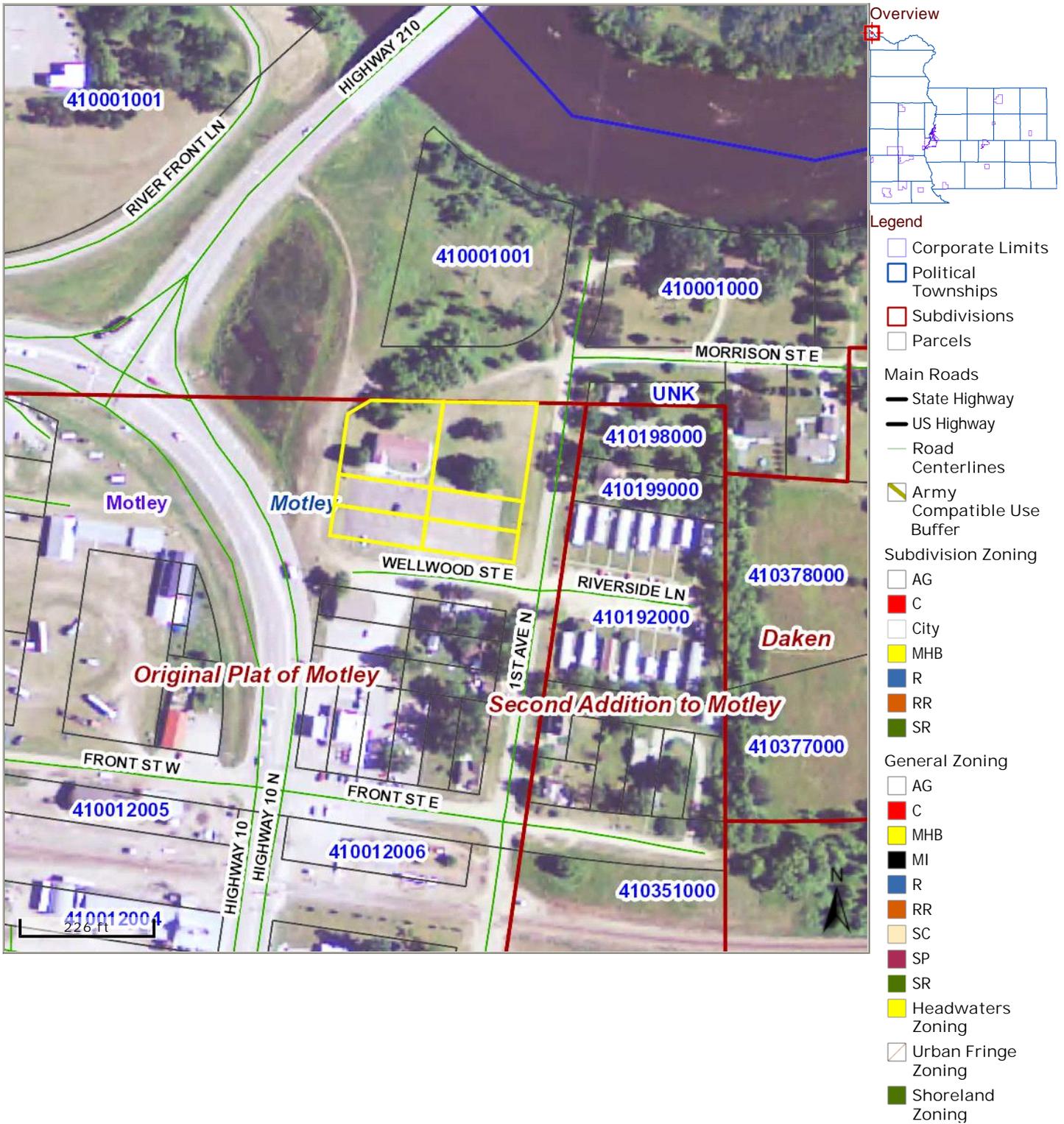
2. Variance (road setback): Approval for the construction of a church addition approximately 0-2 feet from the road right-of-way.
3. Variance (>50% impervious coverage without a stormwater management plan): Needs discussion by the Planning Commission. It appears that if properly managed, rainwater runoff from the site can be adequately addressed without creating problems for the neighboring properties. However, this will depend on what can be done with the grading on the site, or the installation of permanent stormwater management practices. If these can be adequately addressed, Staff would recommend approval of this variance.

Staff recommends the following conditions of any approvals:

1. That the applicant submit information from a licensed surveyor (or another professional making use of a professional survey) indicating that the building addition will not be located within a road right-of-way.
2. That effective erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences on downslope areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets or other forms of temporary cover until vegetation is re-established.
3. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for rainwater runoff from impervious surfaces exiting the property. The plan shall address at least 4,500 sq ft of impervious surfaces on the lot and may include the use of rainwater barrels, grassed swales, retention areas or other appropriate stormwater management facilities. Once approved by the Zoning Administrator or City Council, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed.

### Motley Free Methodist Church Application





APP # \_\_\_\_\_  
 Date \_\_\_\_\_  
 (for office use only)

**CITY OF MOTLEY  
 VARIANCE APPLICATION**

Name of Applicant Motley Free Methodist Phone 218-352-6888  
 Address P.O. Box A 33 Wellwood St Email pastorjim05@brainerd.net  
 City, State, Zip Motley, MN 56466

Applicant is:  
 Legal Owner   
 Contract Buyer   
 Option Holder   
 Agent   
 Other \_\_\_\_\_

Title Holder of Property:  
Motley Free Methodist  
 (Name)  
P.O. Box A  
 (Address)  
Motley, MN 56466  
 (City, State, Zip)

Signature of Owner, authorizing application: James K. Johnson  
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): \_\_\_\_\_  
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Location of property involved in this request:  
33 Wellwood St. Motley  
Lots 1, 2, 3, 4, 5 + 6 Block 12 Town of Motley

Fire No. 33, Parcel ID No. \_\_\_\_\_ Zoning District C2

**Read and Initial (required):**  
 When costs to the City involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees, and other professional services the City may need to retain in reviewing permits. When applying for a permit through the City of Motley, you may be charged additional fees. If you have questions regarding your permit and need to contact Hometown Planning, you may be charged up to \$100.00 per hour in additional fees. You are liable for paying the fees. If the fees are not paid prior to the approval of your permit, these additional fees may be assessed to your property taxes. Please initial and date after reading.

Applicant must initial: JKJ

State nature of request in detail: (What are you proposing for the property?)

Variance - 50 ft set back statute

We are proposing a 7200 sq. ft expansion of our church building which would be closer than 50' to the street.

What changes (if any) are you proposing to make to this site?

Building: Add 7200 + square ft to existing church

Landscaping: —

Parking/Signs: We would be giving up existing parking for the building site.

Other: —

Pursuant to the Motley City Ordinance, Section 9.6, the applicant should be prepared at the public hearing to explain the unique hardship for the proposed variance. A hardship is defined as a condition whereby the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if reasonable use for the property exists under the terms of the Ordinance.

(1) What are the unique circumstances of the parcel size, shape, topography or other characteristics that make strict interpretation of the Ordinance impractical?

We want to keep our new addition to 1 level.

The area we propose to build on would allow landscape changes to be very minimal and yet allow us to gain the needed space.

(2) How is granting this variance consistent with the intent of the City of Motley Land Use or Subdivision Ordinance?

We would still be 25 ft from the street.

Our property line is 24-25 ft from the street, we only propose going to the edge (near) of our own property line.

(3) How will reasonable use of the parcel be deprived if the variance is not granted?

If we are not allowed to go ahead with this proposal - we would need to start over with our building plans and blue-prints

- (4) What other options, either conforming or non-conforming, have been considered and why were those options not chosen?

Originally we considered building our new addition to the East of our existing building rather than south. However in discussing this with builders - they advised against it due to topography and current building wall type.

- (5) Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

No impact. Our new addition would still be well with in our property and built to city building codes.

- (6) Describe character of the area and the existing patterns and uses of development in the area.

How is this proposal consistent with those patterns and uses?

We live on a dead-end street. We own 6 city lots. This area will always be an area for church & ministry. We would not affect any neighbors.

- (7) Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Describe if additional facilities will be required.

We propose to build on what is existing paved parking lots. Drainage should be no issue. Sewer & water usage should not change much - we have those usages now.

- (8) Describe the impact on the character of the neighborhood in which the property is located.

Improved. We want to help improve our city and community by doing more as a church & ministry.

- (9) Describe the impact to traffic on roads and highways in the vicinity, and expected traffic generated by this application. Is there adequate parking available to accommodate the proposal?

We have lots of cars coming here now. That will only change in time as we grow. There is probably not adequate parking currently.

- (10) Discuss any environmental limitations of the site or area.

We/I am not aware of any.

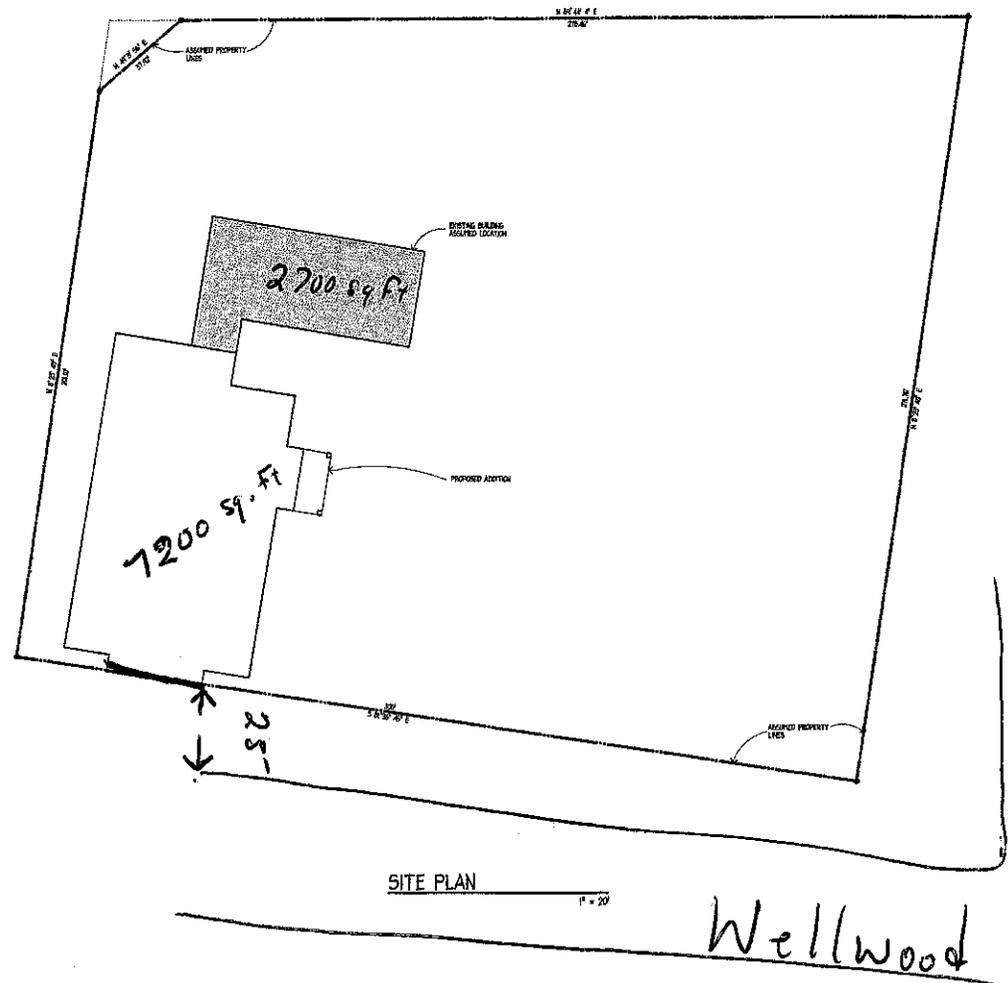
(11) Please include any other comments pertinent to this request.

~~We did not realize we had to be 50'  
set back from the street.~~

We would have filed this before if  
we had known that.

Lots 1-6, Block 12 Original Plat  
of Motley

\* Our proposed building will not exceed our property line... and will be 25' from the edge of Wellwood St.



PRELIMINARY  
NOT FOR CONSTRUCTION

Kevin J. Anderson  
Architect  
11111 Avenue 12, Eden Hill, Memphis 38135  
Phone: 901.555.1234  
Fax: 901.555.5678  
Professional Seal: 02781234567890

Project # 201912

Date June 12, 2019

Drawn	Checked
KS	KS

Motley Free Methodist Church  
Motley, Mississippi

A1  
of 4



APP # _____
Date _____
(for office use only)

**CITY OF MOTLEY  
CONDITIONAL USE APPLICATION**

Name of Applicant Motley Free Methodist Phone 218-352-6888  
 Mailing Address P.O. Box A Email pastorjim05@brainerd.net  
 City, State, Zip Motley, MN. 56466

Applicant is:  
 Legal Owner   
 Contract Buyer   
 Option Holder   
 Agent   
 Other \_\_\_\_\_

Title Holder of Property:  
Motley Free Methodist  
 (Name)  
P.O. Box A 33 Wellwood St. E  
 (Address)  
Motley, MN. 56466  
 (City, State, Zip)

Signature of Owner, authorizing application (required): James K. Johnson  
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): James K. Johnson  
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Location of property involved in this request:  
33 Wellwood St. E  
Motley, MN. 56466

Fire No. 33, Parcel ID No. 41.0091.000 Zoning District C-2

**Read and Initial (required):**  
 When costs to the City involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees, and other professional services the City may need to retain in reviewing permits. When applying for a permit through the City of Motley, you may be charged additional fees. If you have questions regarding your permit and need to contact Hometown Planning, you may be charged up to \$100.00 per hour in additional fees. You are liable for paying the fees. If the fees are not paid prior to the approval of your permit, these additional fees may be assessed to your property taxes. Please initial and date after reading.

Applicant must initial: JKJ

State nature of request in detail: (What are you proposing for the property?)

We would like to add a 7300 square ft. addition to our church.  
This new building would be our new sanctuary and bathrooms and offices and nursery.

What changes (if any) are you proposing to make to this site?

Building: Add 7250 (approx) square ft of space south of

Landscaping: our existing church.

Parking/Signs: Some existing parking lot will be removed

Other: to accommodate the proposed building addition  
So we would propose a gravel parking lot (blue-print) 90' x 90'.

Pursuant to the Motley City Ordinance, Section 9.5, the applicant should be prepared at the public hearing to discuss the following issues by explaining how the proposed Conditional Use will cause no significant adverse effects.

- (1) Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

This new building will not affect others property nor should it have any negative affects on our communities enjoyment in this area. We will build on our own property.

- (2) Describe the character and the existing patterns and uses of development in the area. How is this proposal consistent with those patterns and uses?

This new and handi-cap accessible building will be a wonderful addition to us and to the development of this community.

- (3) Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Describe if additional facilities will be required.

We currently minister to hundreds of adults and children each week here. We are just going to have more room to do this. I don't anticipate much change in sewer, or drainage.

- (4) Describe the impact on the character of the neighborhood in which the property is located.

Positive - new building - excitement

for our community.

REV: APRIL 2013

- (5) Describe the impact to traffic on roads and highways in the vicinity, and expected traffic generated by this application. Is there adequate parking available to accommodate the proposal?

NO impact - we have a new street (Wellwood) and the people are already coming here. we may need to add parking which we will submit also.

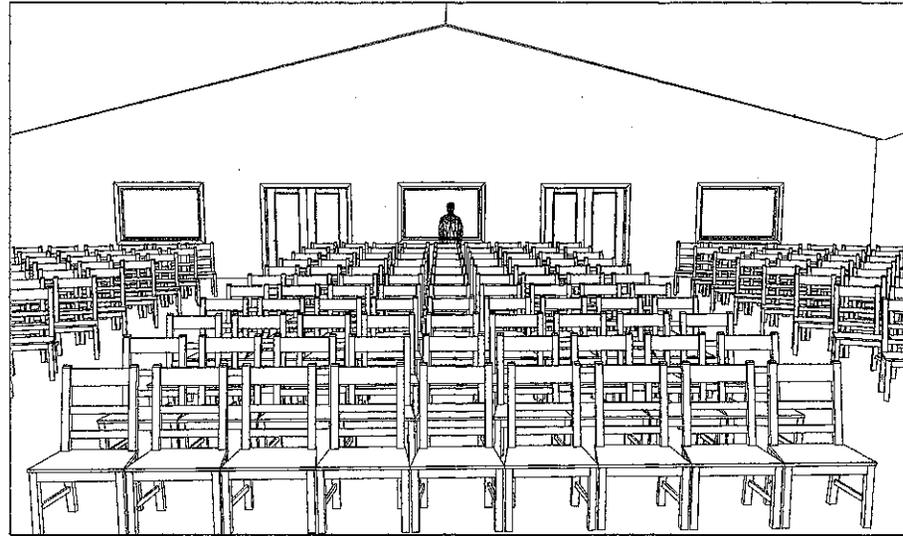
- (6) Discuss any environmental limitations of the site or area.

None to discuss that we know of.





HWY. 10 3D VIEW

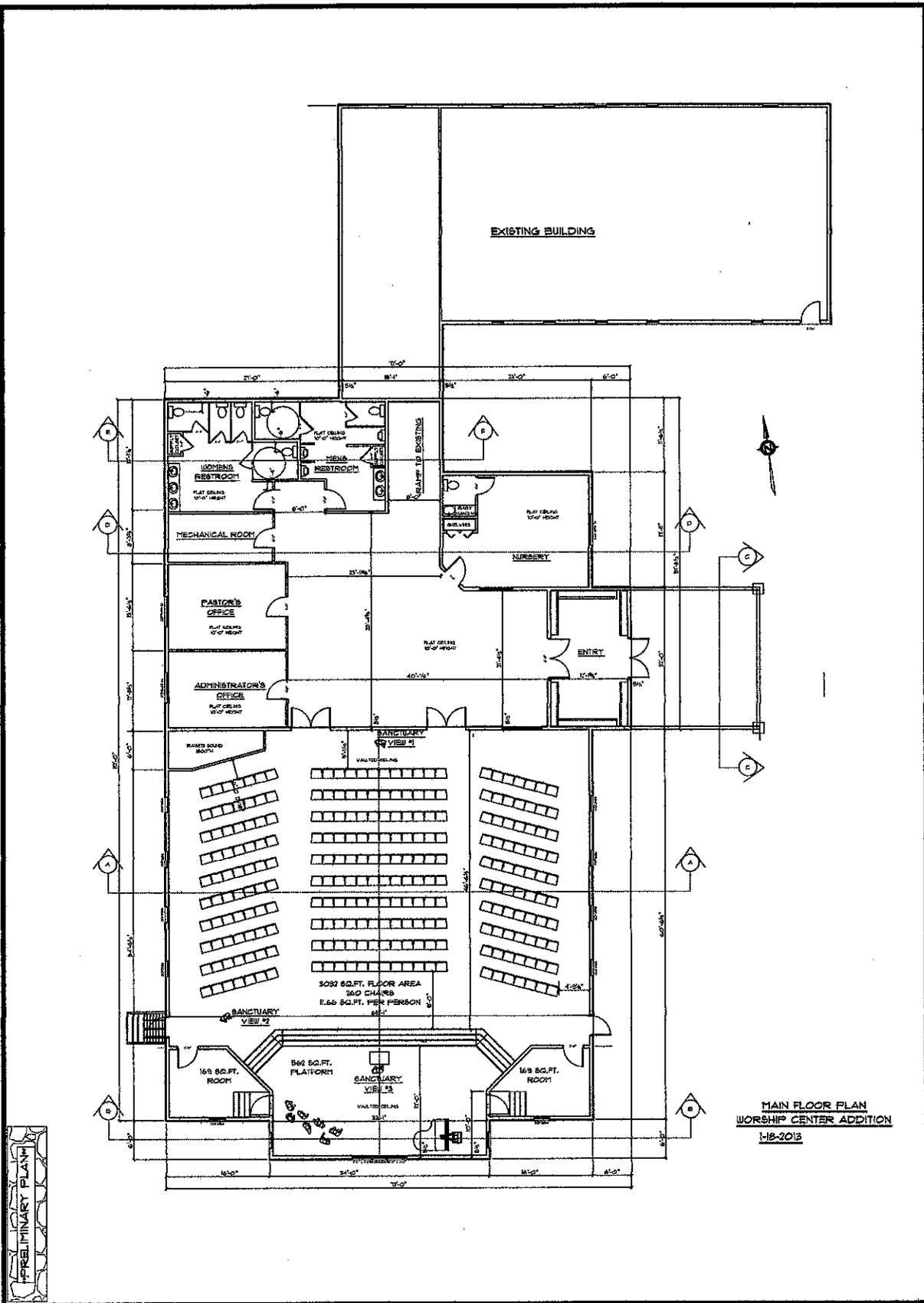


SANCTUARY VIEW #3  
FROM PODIUM

PRELIMINARY PLAN

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Randell Building Supplies P.O. Box 210, Randall MN. 56475 ph. 320-749-2721, fax. 320-149-2705		SCALE DRAWN BY MPL APPROVED	PROPOSED NEW ADDITION TO THE FREE METHODIST CHURCH, MOTLEY	DATE 11-30-2012 REVISIONS DRAWING	PAGE 1
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MPL

APPROVED

PROPOSED NEW  
ADDITION TO THE  
FREE METHODIST  
CHURCH, MOTLEY

DATE

11-30-2012

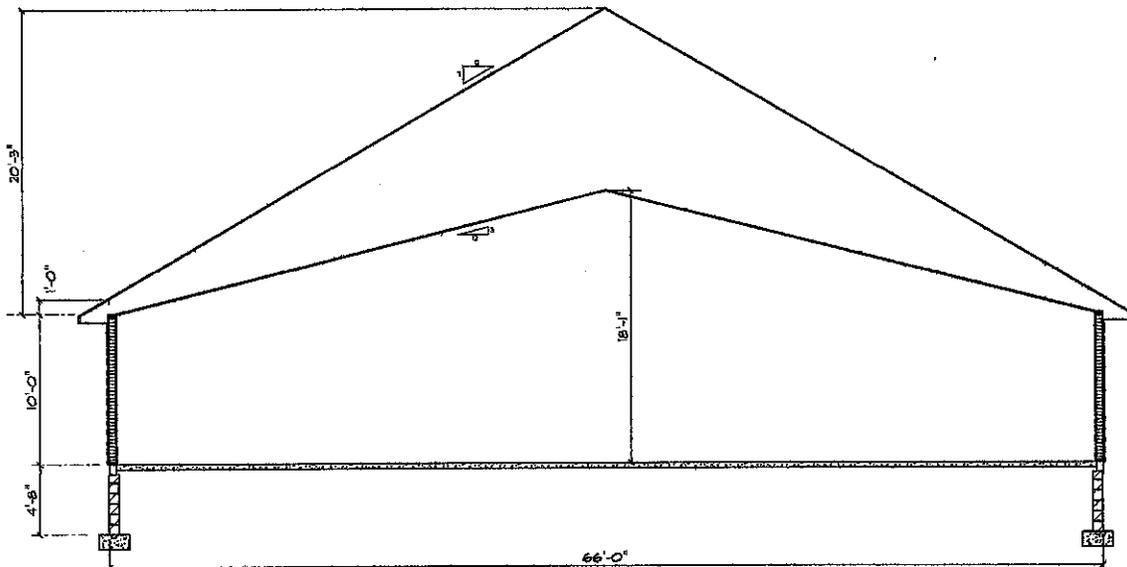
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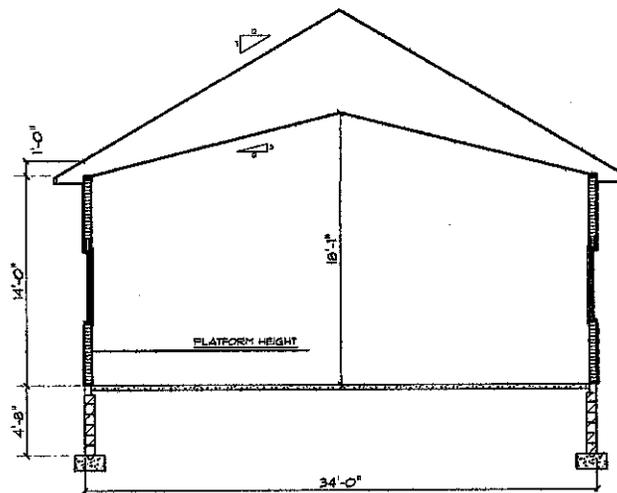
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**CROSS SECTION A-A**  
11-30-2012



**CROSS SECTION B-B**  
11-30-2012

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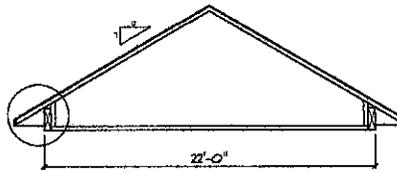
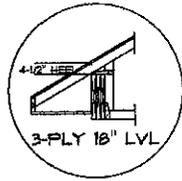
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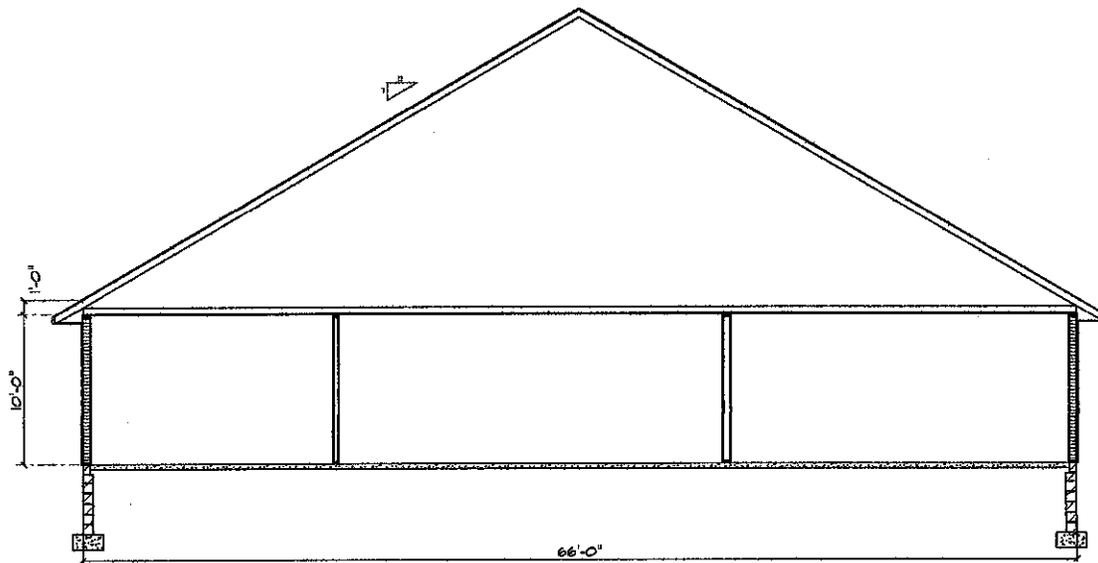
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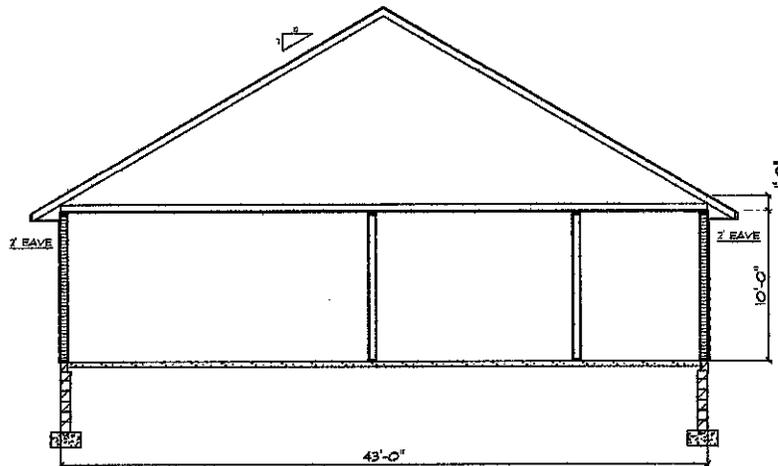
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1-18-2013



CROSS SECTION D-D  
1-18-2013



CROSS SECTION A-A  
1-18-2013

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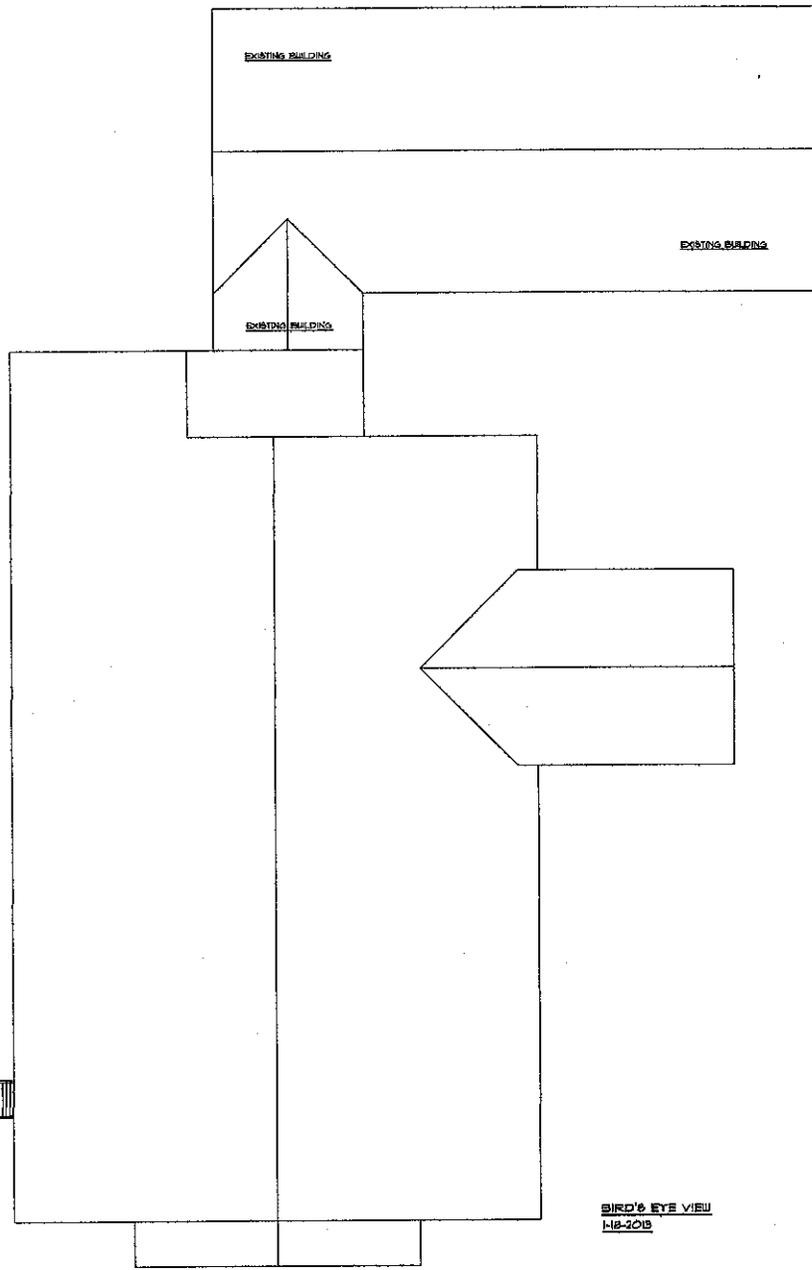
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CITY OF MOTLEY  
PLANNING AND ZONING COMMISSION MINUTES  
May 28, 2013, 5:30 PM

1. Call to Order

O'Regan called the meeting to order at 5:30 p.m.

2. Roll Call

Planning commission: Pat O'Regan, Rob Sampson, Amy Hutchison and Steve Johnson

Absent: Nancy Nieken

Staff: None

Hometown Planning: Ben Oleson

3. Public Hearings

None

4. Additions or Deletions to the Agenda.

None

5. Open Forum

There were no persons present wishing to speak.

6. Approval of Minutes

A motion and a second was made to approve the April 23, 2013 Planning Commission minutes. Motion passed unanimously.

7. Other Business

a. 2013 Planning Commission Work Plan

Oleson noted that the list of items on the agenda under "Other Business" were items that have been discussed at various times in the past as possible work items, but that it should not be viewed as a complete list.

Sampson suggested that either finalizing the draft Planning Commission/Board of Adjustment policy or deciding to not finalize it should be a priority. He also felt that the City should decide if it wants to update the Comprehensive Plan or not. O'Regan questioned whether the Future Land Use Map should be created after a Comprehensive Plan update. Oleson noted that these are often created as part of the same process.

O'Regan asked about whether the Land Use Matrix (table of allowed, permitted, conditional, prohibited, etc... land uses). Oleson explained that there are gaps in the current table due to the way the original ordinance was written. When creating the DMU district, the City ensure that there were no gaps for that district. Other districts have areas where certain uses are not addressed. By ordinance, if a use is not specifically listed as permitted or conditional, it is considered prohibited.

O'Regan asked about ordinance updates, including those required by state statute. Oleson explained that a draft of the update related to the state legislature's changes regarding variance criteria was drafted out awhile back and is essentially ready to be scheduled for a public hearing. Sampson asked if there were other updates by the legislature more recently? Oleson said he will be researching that now that the Legislative session is over.

Oleson explained that as the City goes through the land use matrix, there are a number of terms that will need to be reviewed in terms of their definitions.

Oleson suggested that the City not only discuss what items should be on the work plan, but also the priorities, timelines and budgets for the work.

O'Regan asked if there were other suggestions for the work plan. Hutchison asked who works on whether the city should have more parks. O'Regan noted it would ultimately be the council. Discussion followed about potential new parks on city-owned land. Discussion about the role of the Parks Commission in providing recommendations to the Council. Oleson noted that discussions regarding parks are often addressed within the Comprehensive Plan and that since the current Comprehensive Plan is about 10-11 years old it may make sense to fold parks into any Comprehensive Plan discussions.

O'Regan and Sampson noted that the Comprehensive Plan update would be useful to guide a lot of the decisions/discussions that have been addressed during this meeting.

O'Regan asked if there were any other items. There were none.

O'Regan emphasized the need to prioritize the items to work on and that these should be done at the Council level. Sampson agreed.

A motion was made and seconded to adjourn this portion of the meeting at 6:14 and hold a training session. Motion passed unanimously.

b. 2013 Planning Commission Work Plan

Oleson provided a training session "Balancing Property Rights and Land Use Regulations"

A motion and second was made to adjourn the meeting. The meeting was adjourned at 6:55 p.m.

Respectfully submitted,  
Ben Oleson  
Hometown Planning

DRAFT



## **AGENDA ITEM 8 - OTHER BUSINESS**

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### **a. 2013 Planning Commission Work Plan**

At the May 2013 meeting, the Planning Commission discussed a number of work items they felt were needed in the coming months/years. These items were brought to the City Council for additional discussion and prioritization. The results of the Council's discussion were as follows (in priority order):

1. Complete the draft Planning Commission/Board of Adjustment policy and decide whether to adopt it or not.
2. Adopt ordinance amendments as may be required by recent changes in state law (e.g. the criteria for review of variance requests).
3. Update the City's Comprehensive Plan
  - a. Create a Future Land Use Map
  - b. Discuss creation of more city parklands
  - c. Update the "Land Use Matrix" within the City's Zoning Ordinance